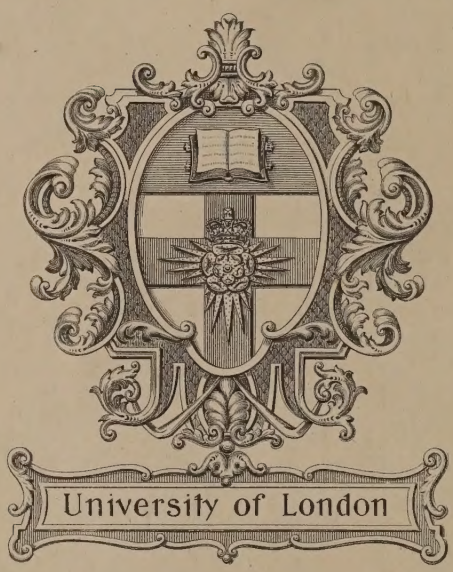
University of London

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REPORTS

FROM

COMMITTEES:

ELEVEN VOLUMES.

—(8.)—

MASTER AND SERVANT;

METROPOLITAN LOCAL GOVERNMENT, &c.

Session

1 *February* —— 10 *August* 1866.

VOL. XIII.

1866.

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MASTER AND SERVANT;

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REPORTS FROM COMMITTEES:

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ELEVEN VOLUMES:—CONTENTS OF THE

EIGHTH VOLUME.

N. B.—*THE* Figures *at the* beginning of the line, *correspond with the* N° *at the foot of each* Report; *and the* Figures *at the* end of the line, *refer to the* MS. Paging *of the Volumes arranged for The House of Commons.*

MASTER AND SERVANT:

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1866.

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MASTER AND SERVANT.

449. REPORT from the Select Committee on Masters and Servants; with the Proceedings of the Committee, Minutes of Evidence, Appendix, and Index

METROPOLITAN LOCAL GOVERNMENT, &c.

185. FIRST REPORT from the Select Committee on Metropolitan Local Government, &c.; together with the Proceedings of the Committee, Minutes of Evidence, and Appendix

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REPORT

FROM THE

SELECT COMMITTEE

ON

MASTER AND SERVANT;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

APPENDIX, AND INDEX.

Ordered, by The House of Commons, *to be Printed*,
30 *July* 1866.

Thursday, 22d March 1866.

Ordered, THAT a Select Committee be appointed to inquire into the State of the Law as regards Contracts of Service between Master and Servant, and as to the Expediency of amending the same.

Tuesday, 8th May 1866.

Committee nominated of:—

Sir James Fergusson.
Colonel Wilson Patten.
Mr. Jackson.
Mr. Alderman Salomons.
Mr. M'Lagan.
Earl Grosvenor.
Mr. George.
Mr. Solicitor General (Sir R. Collier).
Mr. Gathorne Hardy.
Mr. Dalglish.
Mr. Algernon Egerton.
Mr. George Clive.
Mr. Fawcett.
Mr. Edmund Potter.
Lord Elcho.

Ordered, THAT the Committee have power to send for Persons, Papers, and Records.

Ordered, THAT Five be the Quorum of the Committee.

Ordered, THAT the Minutes of Evidence taken before the Select Committee appointed in the last Session of Parliament on the State of the Law as regards Contracts of Service between Masters and Servants, be referred to the said Select Committee.

Thursday, 7th June 1866.

Ordered, THAT the Petition of J. M. Stroud to be heard before the Select Committee on Master and Servant on the Subject of Contracts for hiring by Brickmasters, be referred to the Select Committee on Master and Servant.

Monday, 30th July 1866.

Ordered, THAT the Committee have power to report their Opinion, together with the Minutes of Evidence taken before them, to The House.

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REPORT.

THE SELECT COMMITTEE appointed "to inquire into the State of the Law as regards Contracts of Service, between Master and Servant, and as to the expediency of amending the same";——Have considered the Matters to them referred, and have come to the following RESOLUTIONS, which they have agreed to Report to The House:

1. That the Law, relating to Master and Servant, as it now exists, is objectionable.

2. That all cases arising under the Law of Master and Servant, should be publicly tried, in England and Ireland before two or more magistrates, or a stipendiary magistrate, and in Scotland, before two or more magistrates or the sheriff.

3. That procedure should be by summons in England and Ireland, and by warrant to cite in Scotland, and failing the appearance of defendant in answer to summons or citation, the court should have power to grant warrant to apprehend.

4. That punishment should be by fine, and, failing payment, by distress or imprisonment.

5. That the Court should have power, where such a course is deemed advisable, to order the defendant to fulfil contract, and also if necessary to compel him to find security that he will duly do so.

6. That in aggravated cases of breach of contract, causing injury to person or property, the magistrates, or sheriff, should have the power of awarding punishment by imprisonment instead of fine.

7. That the arrest of wages in Scotland in payment of fines should be abolished.

8. That a suggestion having been made to the Committee, viz. That in all cases of breach of contract between master and servant, it should be competent to examine the parties to the action as in civil cases, although the offence be punishable on summary conviction, the Committee are not prepared themselves to recommend the adoption of such a principle, involving as it does departure from the law of evidence in such cases, as now settled.

30 July 1866.

PROCEEDINGS OF THE COMMITTEE.

Friday, 11*th May* 1866.

MEMBERS PRESENT:

Lord Elcho.	Mr. M'Lagan.
Lord Grosvenor.	Mr. Fawcett.
Mr. Jackson.	Mr. Dalglish.
Mr. George Clive.	Mr. Edmund Potter.

Lord ELCHO was called to the Chair.

The Committee deliberated.

[Adjourned to Thursday next, at Twelve o'clock.

Thursday, 17*th May* 1866.

MEMBERS PRESENT:

Lord ELCHO in the Chair.

Mr. Edmund Potter.	Sir James Fergusson.
Mr. George Clive.	Mr. George.
Mr. M'Lagan.	Mr. Solicitor General.
Mr. Jackson.	Mr. Alderman Salomons.
Mr. Gathorne Hardy.	Mr. Algernon Egerton.
Earl Grosvenor.	Mr. Dalglish.
Mr. Fawcett.	

Mr. *George Newton* and Mr. *Alexander Campbell*, were severally examined.

[Adjourned to Tuesday, 29th May, at Twelve o'clock.

Tuesday, 29*th May* 1866.

MEMBERS PRESENT:

Lord ELCHO in the Chair.

Mr. Gathorne Hardy.	Mr. Jackson.
Mr. Edmund Potter.	Mr. Algernon Egerton.
Mr. George Clive.	Mr. Dalglish.
Sir James Fergusson.	Mr. George.
Mr. M'Lagan.	

The Committee examined Mr. *Alexander McDonald*, Mr. *Colin Steele*, and Mr. *William Dronfield*.

[Adjourned to Friday, at Twelve o'clock.

Friday, 1*st June* 1866.

MEMBERS PRESENT:

Lord Elcho in the Chair.

Mr. George Clive.	Mr. Alderman Salomons.
Mr. M'Lagan.	Mr. Jackson.
Mr. Algernon Egerton.	Mr. Gathorne Hardy.
Sir James Fergusson.	Mr. George.
Mr. Edmund Potter.	

Mr. *John Normansell*, Mr. *Charles Williams*, and Mr. *Thomas Winters*, were severally examined.

[Adjourned to Tuesday next, at Twelve o'clock.

Tuesday, 5*th June* 1866.

MEMBERS PRESENT:

Lord Elcho in the Chair.

Mr. Gathorne Hardy.	Mr. M'Lagan.
Mr. Jackson.	Mr. Fawcett.
Mr. Edmund Potter.	Mr. Alderman Salomons.

Mr. *Archibald Hood* and Mr. *William Evans*, examined.

Motion made and question, "That the Chairman be directed to report to the House, that George Odger, who had been summoned to attend the meeting of the Committee, had not obeyed the said summons"—(Mr. *Gathorne Hardy*)—put, and *agreed to*.

[Adjourned to Friday next, at Twelve o'clock.

Friday, 8*th June* 1866.

MEMBERS PRESENT:

Mr. George Clive.	Mr. M'Lagan.
Mr. Edmund Potter.	Mr. Algernon Egerton.

[Adjourned to Tuesday next, at Twelve o'clock.

Tuesday, 12*th June* 1866.

MEMBERS PRESENT:

Lord Elcho in the Chair.

Mr. Edmund Potter.	Mr. George.
Mr. Jackson.	Mr. Algernon Egerton.
Mr. M'Lagan.	Mr. Alderman Salomons.
Mr. Fawcett.	Mr. Dalglish.

Mr. *John Lancaster*, Mr. *Thomas Emerson Forster*, Mr. *William Prowting Roberts*, and Mr. *George Odger*, were severally examined.

[Adjourned to Friday next, at Twelve o'clock.

Friday, 15*th June* 1866.

MEMBERS PRESENT:

Lord Elcho in the Chair.

Mr. Edmund Potter.	Mr. Alderman Salomons.
Mr. M'Lagan.	Mr. Dalglish.
Mr. Fawcett.	Mr. Algernon Egerton.
Mr. George.	

Mr. *Odger* further examined.

Mr. *John Watson Ormiston* and Mr. *Joseph Dickinson*, were severally examined.

[Adjourned to Tuesday next, at Twelve o'clock.

Tuesday, 19*th June* 1866.

MEMBERS PRESENT:

Lord Elcho in the Chair.

Mr. Edmund Potter.	Mr. M'Lagan.
Mr. Dalglish.	Mr. Gathorne Hardy.
Mr. Jackson.	Mr. Algernon Egerton.
Mr. Alderman Salomons.	Mr. George.

Mr. *William Prowting Roberts*, further examined.

Mr. *William Burns*, and Mr. *Thomas Part*, were severally examined.

[Adjourned to Tuesday next, at Twelve o'clock.

Tuesday, 26*th June* 1866.

MEMBERS PRESENT:

Lord Elcho.	Mr. M'Lagan.
Mr. Gathorne Hardy.	

[Adjourned to Friday next, at Twelve o'clock.

Friday, 29*th June* 1866.

MEMBERS PRESENT:

Lord Elcho in the Chair.

Earl Grosvenor.	Mr. Fawcett.
Mr. M'Lagan.	Mr. Alderman Salomons.
Mr. Edmund Potter.	Mr. George Clive.
Mr. Algernon Egerton.	

Mr. *William Mathews* and Mr. *A. Mault*, were severally examined.

[Adjourned to Friday, 27th July, at Twelve o'clock.

Friday, 27*th July* 1866.

MEMBERS PRESENT:

Mr. George Clive. | Mr. Edmund Potter.

[Adjourned to Monday next, at One o'clock.

Monday, 30*th July* 1866.

MEMBERS PRESENT:

Lord Elcho in the Chair.

Mr. George Clive. | Mr. Edmund Potter.
Mr. Algernon Egerton. | Mr. George.

Motion made, and Question, "1. That the law relating to master and servant, as it now exists, is objectionable"—(Lord *Elcho*)—put, and *agreed to.*

Motion made, and Question, "2. That all cases arising under the law of master and servant should be publicly tried, in England and Ireland before two or more magistrates, or a stipendiary magistrate, and in Scotland before two or more magistrates, or the sheriff"—(Lord *Elcho*)—put, and *agreed to.*

Motion made, and Question, "3. That procedure should be by summons in England and Ireland, and by warrant to cite in Scotland, and failing the appearance of defendant in answer to summons or citation, the court should have power to grant warrant to apprehend"—(Lord *Elcho*)—put, and *agreed to.*

Motion made, and Question, "4. That punishment should be by fine, and, failing payment, by distress or imprisonment"—(Lord *Elcho*)—put, and *agreed to.*

Motion made, and Question, "5. That the court should have power, where such a course is deemed advisable, to order the defendant to fulfil contract, and also, if necessary, to compel him to find security that he will duly do so"—(Lord *Elcho*)—put, and *agreed to.*

Motion made, and Question, "6. That in aggravated cases of breach of contract, causing injury to person or property, the magistrates or sheriff should have the power of awarding punishment by imprisonment instead of fine"—(Lord *Elcho*)—put, and *agreed to.*

Motion made, and Question, "7. That the arrest of wages in Scotland in payment of fines should be abolished"—(Lord *Elcho*)—put, and *agreed to.*

Motion made, and Question, "8. That a suggestion having been made to the Committee, viz., That in all cases of breach of contract between master and servant, it should be competent to examine the parties to the action as in civil cases, although the offence be punishable on summary conviction, the Committee are not prepared themselves to recommend the adoption of such a principle, involving, as it does, departure from the law of evidence in such cases as now settled"—(Lord *Elcho*)—put, and *agreed to.*

Resolved, That these Resolutions be reported to the House, together with the Minutes of Evidence.

EXPENSES OF WITNESSES.

Name of Witness.	Profession or Condition.	From whence Summoned.	Number of Days Absent from Home, under Orders of Committee.	Expenses of Journey to London and back.	Allowance during Absence from Home.	TOTAL Expenses allowed to Witness.
				£. s. d.	£. s. d.	£. s. d.
George Newton	Potter	Glasgow	3	5 19 –	2 5 –	8 4 –
Alexander Campbell	Editor "Glasgow Sentinel."	Glasgow	3	5 19 –	2 5 –	8 4 –
William Dronfield	Manager, Messrs. Loxley, Printers, &c. Sheffield.	Sheffield	3	2 18 –	1 10 –	3 18 –
Colin Steele	Moulder	Glasgow	3	5 19 –	1 10 –	7 9 –
John Normansell	Secretary to Miners' Association, South Yorkshire.	Barnsley	3	2 12 –	3 3 –	5 15 –
Charles Williams	Secretary to United Trades' Committee.	Liverpool	3	2 16 4	3 3 –	5 19 –
Alexander Macdonald	Agent for Miners, Scotland.	Glasgow	3	7 4 –	3 – –	10 4 –
William Evans	Editor of the "Potteries Examiner."	Hanley Potteries	3	2 2 –	3 3 –	5 4 –
Archibald Hood	Colliery owner	Mid Lothian, Staffordshire.	2	3 15 –	2 2 –	5 17 –
Joseph Dickinson	Inspector of mines	Pendleton, Manchester.	3	5 – –	3 3 –	8 3 –
Wm. Prowting Roberts	Solicitor	Manchester (three times).	9	12 – –	18 18 –	30 18 –
Alfred Mault	Secretary to the General Builders' Association.	Birmingham	2	1 5 –	2 2 –	3 7 –
J. E. Davis	Stipendiary magistrate.	Stoke-upon-Trent	3	3 3 –	– –	3 3 –
John Lancaster	Chairman of Wigan Coal and Iron Company.	Wigan	6	4 – –	6 6 –	10 6 –
William Burns	Solicitor	Glasgow	3	7 15 –	6 6 –	14 1 –
John Watson Ormiston	Manager Shotts Iron Company.	Motherwell	3	7 10 –	3 3 –	10 13 –
Thomas Emerson Forster	Mining engineer	Newcastle	6	10 13 –	6 6 –	16 19 –
					TOTAL £.	158 4 –

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

Thursday, 17*th May* 1866.

MEMBERS PRESENT:

Mr. Clive.	Earl Grosvenor.
Mr. Dalglish.	Mr. Gathorne Hardy.
Mr. Algernon Egerton.	Mr. Jackson.
Lord Elcho.	Mr. M'Lagan.
Mr. Fawcett.	Mr. Edmund Potter.
Sir James Fergusson.	Mr. Alderman Salomons.
Mr. George.	Mr. Solicitor General.

LORD ELCHO, IN THE CHAIR.

Mr. GEORGE NEWTON, called in; and Examined.

Mr. *G. Newton.*
17 May 1866.

1. *Chairman.*] WHAT is your profession, trade, or business?—A Potter.

2. Are you a working potter, or a master potter?—I am a manufacturing potter, on a small scale.

3. In Scotland?—Yes, in Glasgow.

4. In what capacity do you appear before this Committee?—I appear before this Committee as the secretary of a committee, composed of working men and representatives of trades, that was appointed to procure an amendment of the law relating to contracts of service between masters and servants, and the consequences of a breach thereof.

5. How and where was that committee appointed?—The committee was originally appointed in Glasgow, consisting of delegates from the trades. Then a conference of trustees was called in Edinburgh, and subsequently in London, and at the conference of the trades in London the Glasgow committee were appointed the executive committee of the movement, and authorised to take steps on behalf of the working men of the United Kingdom to bring about an amendment of the law.

6. So that the committee, of which you are secretary, was appointed at a general convened meeting of the delegates of the United Kingdom, and the conduct of this business was entrusted to that committee?—Yes.

7. The associated trades of London have no power, as the trades of London, to regulate your proceedings?—There was no such stipulation; the resolution is simply to the effect, that the Glasgow committee shall be the committee having the charge of the arrangements.

8. Will you shortly state to the Committee the objects of the association?—The objects of the association are to obtain such an amendment of the law as shall put the workman on an equality with the employer, as they are not at present placed in the eye of the law.

9. By the law you mean the law regulating the relations of masters and servants?—Yes; that is the general object of the committee, with power, of course, to take such steps as seem to them best calculated to bring about such an arrangement.

10. There are several Acts bearing upon the relations of masters and servants; I presume that you come here to speak more as to the principle of those Acts than as to the bearing of the statute law or the common law upon this question?—More as to the manner in which those Acts operate upon the working classes.

11. The Act which chiefly bears upon this point is the 4 Geo. 4, c. 34, s. 3, is it not?—Yes.

12. Any prosecutions that take place are chiefly under that Act?—Yes, so far as I know.

13. You said that the object of the association is to effect an equality as regards the law between master and servant; that implies that at present there is an inequality. In what does the inequality between master and servant at present exist?—The inequality consists in this, that a breach of contract of service on the part of a workman renders him liable to a criminal prosecution, while a breach of contract on the part of the employer only renders him liable to a civil action for damages; the process also by which the one is brought before the court is very different indeed to that by which the other is brought before the court; while the servant may be dragged as a criminal to the bar, and not unfrequently is dragged there in that way; while he may be taken there manacled, the employer is taken into court as a gentleman; he is simply summoned there and treated with the respect which is due to mankind generally. Then again, the justices of the peace are of the master class. In that respect I think it is not hard to see that the parties are placed in very different positions.

14. You say that while the one party may be

Mr. *G. Newton.* 17 May 1866.

brought manacled, the other is treated as a gentleman; if the law were equal, and if a gentleman committed any breach of the law which required that he should be dealt with and manacled, he would be manacled and treated like any other person?—Yes.

15. But you say the law is unequal, and you wish to see the two parties put on the same footing?—Yes; not that we wish the employer to be put on the same footing as the workmen now are, but that the odious position in which the workman is placed should be improved, and as nearly as possible approximated to the position of the masters before the courts.

16. The objection of your association as representing the class of servants is, that whereas in the case of the master, he is treated by civil process, in the case of the servant he is treated by criminal process, and he may be arrested and seized at any moment?—That is the objection to the existing law.

17. Do you believe that cases of great hardship arise under that state of the law now?—Yes; I believe that cases of great hardship arise under the existing state of the law, and it is almost impossible that they should not arise.

18. Hardship and injustice to the servant?—Yes, in my view of the case.

19. Have you had much experience yourself of the working of the law?—I have some slight personal experience of it, having been arrested myself for a breach of contract service, and having cognizance of some other cases. Last year I had the advantage of becoming acquainted with the circumstances of a case from the committal of the offence so called, until it was argued out before the High Court of Justiciary in Edinburgh; so that the law in many of its bearings was clearly set before me in that case.

20. When did your own case, to which you have just referred, occur?—I could not give the precise date, but I think it must have been about 15 years ago.

21. Was it as a workman or as an apprentice that you were so prosecuted?—The charge was never read over to me, so that I could not say whether I was set down in the charge as an apprentice or as a workman; but I was working at apprentice rates to the employer I was then serving, but subject only to the general rules of the factory. The system of working in potteries I may explain to the Committee is this: that those who are apprentices or working at apprentice rates get perhaps half the journeyman's wages at first, and a little further on, during the course of the period of apprenticeship, they get two-thirds of the journeyman's wages; so that for every shilling that the journeyman earns, at the outset of the apprenticeship, the apprentice gets 6*d*; and for every shilling that the journeyman earns during the latter portion of the time, the apprentice gets 8*d*. He is always called an apprentice, though, in the eye of the law, he cannot be an apprentice, not having been indentured; but he works on the same principle as though he were indentured. He works piecework, and the system of calculating the wages is that the whole is set down at journeyman's rates, and the third or a half struck off, the apprentice getting the balance.

22. Do you consider your own case as a good illustration of the working of the law?—It would not be an illustration of the working of the law, inasmuch as I was not tried at all, though I was arrested.

23. Will you state what happened in your own case?—The circumstances of the case were these: it happened, immediately after the new year's holidays, that the employer conceived that it was no use paying wages at the usual time——

24. Were you serving under a written contract?—No.

25. A verbal engagement?—Yes; he conceived the idea that it was of no use paying the wages, because they were not very much after the workers had been off during the holidays: but the workers conceived, after having perhaps somewhat exhausted their available funds during the holidays, there was more need for what was coming to them than in ordinary circumstances; and a dispute arose, and it was resolved by the workmen generally, that if the wages were not paid on the day on which they were due, they would cease to work; and they intimated this to the employers, or, at least, made very strong representations. The wages were not paid, and some of us ceased to work. A day or two after ceasing work two were arrested. I would have been arrested at the same time, but I happened to be from amongst them, getting dinner at the time, and I was not arrested until the next morning. One of the men arrested upon that occasion was a man who bore an irreproachable character as a decent honest man, a man very attentive to his employment, against whom there was no objection at all; and when the foreman remonstrated with the master for putting that man into prison, it was answered, that it was to make him an example for the rest of the men that he was taken. The trial came on the next day, and I was in attendance, having endeavoured to procure the assistance of an agent to see that we got as much justice as was possible, under the circumstances, to get; and while attending at the court doors I was arrested and locked up during the trial.

26. Without any previous notice?—No more than the notice I had received the day before, from my fellow workmen, that I was "wanted" too.

27. There was no warrant, or anything of that kind?—No.

28. What was the length of your contract?—A fortnight.

29. Will you proceed with your statement of what happened?—I was not tried; the trial of the others proceeded while I was locked up, and at the close of the day's proceedings the court was adjourned until that day week. The agent who was employed became bail for the three who were arrested. Before that day week came round the matter was compromised, and the prosecution withdrawn.

30. How long were you in prison?—Four or five hours.

31. Is it the case that a commitment under the Act does not dissolve a contract?—Yes, that is the case; it does not dissolve a contract.

32. So that a man can be imprisoned for a period not exceeding three months, and then may be let out, and if he refuses to complete his contract, he may be re-imprisoned until he does so?—Yes, that is the state of the law.

33. In your own trade do cases of masters proceeding against their workmen frequently occur?—They occur in some works frequently; in others they are never heard of.

34. You

34. You say they occur in some works and not in others; is that owing to the nature of the works, or to the disposition of the employer?—The disposition of the employer; the processes of manufacture are precisely the same.

35. Are you aware in what trades cases of this description chiefly occur?—In Glasgow they occur in all trades; I was present on one occasion in the Justice of the Peace Court in Glasgow when a coach painter was summoned; that was under the Summary Procedure Act of 1864, which makes it competent to cite a party, if that form is preferred. The coach painter was brought up under the statute 4th Geo. 4, and you will not find that trade enumerated in the statute, though all trades are affected by it.

36. The Act applies practically, does it not, to all trades?—Yes, there are a number of trades specified in the Act, but there is a very inclusive term, "handicraftsmen," "or other person," who shall enter into any contract to serve.

37. It likewise specifies agricultural labourers?—They are not exempted.

38. The only exemptions are domestic servants?—Yes.

39. You chiefly confine your evidence to your own trade?—There are cases that have come under my notice from reports in newspapers; but as to anything I could say from personal experience, it must be in my own trade.

40. The objections you have to the existing state of things are that the master and servant are on an equality, the one being tried by civil process, and the other by criminal process; is there any other objection, which, before stating what remedy you would suggest, you wish to mention?—There is an objection also to the mode of procedure. The mode of bringing people before the courts, and the laws regulating that procedure, are open to very grave objection. We object to the mode of procedure which may be adopted: an act performed by a workman is construed into a crime, on the authority, simply, of the master or his agent. If, in his view of the circumstances, the offender, or alleged offender, has been guilty of a breach of contract in any particular, guilty of any misdemeanor, or any failure to implement the terms of the contract specifically, he is guilty of misdemeanor under the statute; and according to the one-sided information of the employer, or his agent, the person is charged with criminality.

41. You object to the statute itself treating this breach of contract as a crime, and you also object to the mode in which the prosecutor can bring the question forward?—Yes.

42. What is the objection as to the mode in which the prosecutor can prosecute?—The objection is this: that in a quiet room, in the room of the procurator fiscal—very frequently it may be in a back room of the house of the justice of the peace—a statement is made that a person has been guilty of an offence under the statute, and upon the oath of that party a warrant may be issued for the apprehension of the party complained against. We think that there ought to be a further inquiry, at all events, to see whether the complaint is supported by proper evidence. We do not know that any other evidence at all is asked for than the statement upon oath of the party complaining.

43. You object to the arrest being on the oath of the informant, the person prosecuting, and without evidence being taken?—Without evidence to support the charge; we do not know that there is such additional information required previous to the issuing of the warrant.

44. To meet this objection which you have just raised, what remedy would you suggest?—That the person ought to be summoned into court.

45. And not arrested on warrant?—And not arrested on warrant at all.

46. Would you, retaining the criminal nature of the offence, suggest such a remedy as that?—By no means.

47. You object to retaining this offence as a criminal one?—Yes.

48. What remedy do you propose in that case also?—That it should be competent to the judge to decide upon the evidence laid before him, as to whether the offence libelled is in itself a crime or not; at present the judge has no such power.

49. The judge must decide according to the Act?—The judge must decide according to the Act.

50. The Act declares such offence to be criminal?—Yes.

51. Therefore you want the Act amended?—Yes.

52. In what way do you want it amended?—So that a civil offence shall be civil only; that the Act shall define it to be civil only, and that civil consequences shall attach to a breach of a civil contract.

53. As at present in the case of the masters?—Yes; or as near an approximation to that as the circumstances of the case would permit.

54. Assuming such a change as you wish to be made in the law, that is, that the servant should be treated as the master now is by civil process, and with a view to what you call equality between them, do you consider that in that case, you would be placed practically upon an equality?—Not until the adjudication of such cases was removed from the justices to gentlemen of the legal profession, such as the county court judges in England, and the sheriffs in Scotland.

55. You mean that unless that change were made, there would still be an inequality as against the servant?—Yes; justices of the peace, who are themselves employers, are scarcely likely to be independent judges of matters that may arise between masters and servants.

56. Do you imagine that a justice now could adjudicate in his own case?—No; I am aware that he has no power in a case in which he is immediately concerned, to sit as judge.

57. But you object to justices judging in these cases?—Yes; I object to the master class being the exclusive judges in these matters.

58. You think they would have sympathy with their fellow masters?—It is not a violent supposition to suppose that their judgment would incline to their interest.

59. In all such cases, before whom would you have them brought?—Before gentlemen legally qualified to judge who had been educated for the purpose.

60. Do you mean specially appointed for the purpose?—No; I would have them brought before the sheriffs in Scotland, or the county court judges in England, or any analogous judges.

61. Do I rightly understand you to say, that it is with a view to a change in the law as regards placing the servants on the same footing as the masters, that you look to this change in the jurisdiction, that is to say, that these cases, instead

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stead of being brought before the justices as at present, should be brought before the sheriffs in Scotland, or before the county court judges in England?—Yes; we want the jurisdiction in such cases transferred from the one court to the other.

62. Do you mean that it should go before the county court judge, whether a servant who had broken his contract should be criminally prosecuted, or whether it should be merely an action of damages which the county court judge should decide instead of the justices?—In the first instance it should be raised as an action of damages.

63. You wish the law to be altered?—Yes.

64. At present, as the law now stands, the justice can only deal with it as a criminal offence?—Just so.

65. He has no discretionary power?—He has no discretionary power, except to this extent, that he may punish by abatement wages. There are three things that the justice can do, he can send the offender to prison with hard labour and abate the wages, or he may abate the wages alone as a punishment, or he may dissolve the contract. We want the law so altered that a judge shall have the power of discriminating what is a civil offence, and what is a criminal one. The law precludes his judgment at present; he has no liberty of judging at all, because it is defined by the law; if he finds the offence proved at all, the law makes it a crime.

66. You want two things altered, you want the law altered as regards what constitutes a crime, and you likewise want the jurisdiction to be altered, and that it should be transferred from the justices to some legal tribunal authority, such as the sheriff in Scotland or a county court judge in England?—Yes.

67. *Solicitor General.*] I understood you to say, that you thought the judge should decide whether the offence was a criminal one or a civil one, and then I subsequently understood you to say that you thought that in no case should it be treated as a criminal, but as a civil question; how do you reconcile those two views?—There may be cases in which a neglect of duty in discharge of service may involve consequences which amount to a crime.

68. In some cases you admit that a mere breach of duty on the part of a servant might amount to, and ought to be considered as a criminal offence?—There might be cases of that kind, but they would be extreme ones.

69. *Chairman.*] I put a question to you with regard to the equality which you wished to see established between master and servant, and I asked you whether, in the event of the law being altered so as to make the process civil in both cases, you consider that they would be on an equality, upon which you said that you still considered that they would be on an inequality on account of the procedure being before a justice, instead of being before the sheriff or a county court judge. But what I wanted to bring out was this: whether you considered that, practically, the two would be on an equality, supposing the only resource of the master was a civil process, the master being a person who has effects, and the servant, probably, having none?—I think that, in ordinary cases, the workmen will be found to have effects; the great bulk of our workmen are married men with families, with household effects, and if the aim of the law is to punish for a breach of contract, of course there can be as much punishment inflicted, comparatively, upon the workman as there can be upon the master; that is to say, so far as it will affect their circumstances, one can be liable to as much damages as the other. A man with 1,000 *l.*, if that is his all, is no more punished if that 1,000 *l.* is taken from him than a man who has only a shilling, and that is his all, and is taken from him; it will bear as hard upon the one as upon the other; we can never expect that a workman should be able to pay damages to the extent of hundreds of pounds; but he might be made amenable to damages to such an extent as to teach him a lesson that he would not forget in a hurry.

70. Supposing damages were awarded, which he was unable to pay, and his effects, when sold, did not produce the amount required, should you consider, in such a case, that recourse might be had to imprisonment?—No. I consider, if you sold a man out, it is as much as you can expect from him.

71. Have you ever considered whether it would be desirable, in any change of the law, to give the power of arresting wages and following wages?—I would not interfere with the process of law for the recovery of debt or damages, whatever that might be. I have no wish to make an exceptional law for the workmen.

72. Might not cases occur in which a breach of contract by an individual, in a work of any description, might affect all those employed in that work?—There may be extreme cases.

73. Take your own trade, for instance; are there cases in your own trade where a man is in so responsible and important a position that a breach of contract, on his part, would not only affect the interests of the master very seriously, but might very injuriously affect all his fellow-workmen, and in fact practically, for a time, stop the works?—That might occur, but the same thing might occur by a person giving notice to leave, and leaving at the expiry of that time; if there were not a person found to fill the situation, the workmen, or the employer, would be just as injuriously affected as in the case of a party going away without giving notice.

74. Though you admit that such cases might occur, you do not think it necessary to legislate exceptionally for such cases, or with a view to the prevention of men breaking contracts, under those circumstances, to have greater powers than you have suggested?—No; I would not be an advocate for legislation for exceptional cases.

75. In your own trade what are the cases in which such consequences might arise from a breach of contract?—Those consequences might arise in various branches of our trade. We depend, to a considerable extent, one upon the other; the process, from beginning to end, being subdivided into branches, and there are some departments where one man has a considerable weight of responsibility attaching to him; but those are at present undergoing such a transmutation, in consequence of the introduction of machinery and various appliances, that in a short time those responsibilities will be almost at an end. There is one branch in which the workman is called the thrower; he produces the ware in a rough state, his work being the oldest form of getting up ware known in the trade; he makes the ware in an unfinished state, and a person follows him who is called a turner. The thrower can, in some cases, keep

two

two men going: that is to say he can make as much ware as two turners will turn, and if the thrower neglects his duty it would be to the injury of those two men. That is an illustration where the responsibility would be great if the man discontinued his work. In the branch to which I belong myself, where the workman is called a jiggerman, whose work is an advance upon the system to which I have referred, because the ware is all moulded, and the man makes the ware complete, there is no responsibility resting upon him, whether he absents himself or no, as affecting other persons; and generally the same remark would apply throughout our trade. The thrower's is the case where the greatest burden of responsibility would rest upon the workman, in cases where throwers are employed in potteries.

76. I presume, in the glass trade, brickmaking, and in all trades more or less, there are cases where a breach of contract on the part of an individual workman might not only seriously affect the interests of the master, but would likewise affect those of his fellow-workmen?—It would not be so much the case in the glass trade. I cannot call to mind any trades where it would be the case. I have an intimate knowledge of glass making, and I am intimately acquainted with glassmakers, and I know that they can work on, supposing one of a squad to absent himself.

77. In your trade, what is generally the length of the contract?—In England it is a remarkable style of contract altogether; they are engaged every Martinmas by a verbal agreement in some cases, that they shall serve the employer from that time until Martinmas next year. The master may discharge the men upon a month's notice, but the workman has no power to leave on a month's notice, and workmen have been sent to prison for giving a month's notice, and leaving at the expiry of that time.

78. That is a private matter between master and servant irrespective of the Act?—Yes; that is the nature of the contract which they voluntarily enter into. In Scotland, in rare cases, they engage for a whole year; generally they work on a week's notice, some a month, and some a fortnight. I may state that there is one pottery in Glasgow which has changed from a week's notice to no notice, and from no notice to a week's notice, backwards and forwards several times. That shows that the employer in that case does not attach very much importance to the working of the notice. The system in Scotland generally is to work on a notice not exceeding a month. There are two potters at Glasgow who ask for a month's notice; there is one very large work where they ask for a fortnight's notice; the other to which I have referred asks for a week; so that there is a variety.

79. In some trades there are what are called minute contracts, are there not?—Yes; I understand that is the rule with the carpenters and joiners of Glasgow.

80. There is no such thing in your own trade that you are aware of?—Not at present; there have been such cases.

81. Have you any evidence that you can bring forward as to the operation of those minute engagements in other trades?—We can bring forward evidence of a negative sort; that is, that, so far as can be seen, no injury has accrued to employers through working upon that system.

82. You do not anticipate that any evil would arise to either master or servant from such a change in the law as you contemplate?—I do not think that any evil would arise, but on the contrary, much good.

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83. Suppose the case of a man who is in a responsible position, who is not a married man, who has no effects, and who chooses to break his contract and walk quietly off, the master is injured thereby, and his fellow-workmen are thrown out of employment for a time; do you think there ought not to be some other means of meeting such a case as that than what you have suggested?—There can be no doubt that it would be necessary to protect both masters and men from open and wilful violation of contract on the part of persons, knowing that they would injure their employers and fellow-workmen. At the same time, I think it would not be very difficult to make it a matter of degree as to the nature of the offence.

84. Have you any suggestions to offer to the Committee as to the mode of treating such cases as a matter of degree?—I have not considered the matter very fully, but I would admit that, in cases where, with the consequences clearly before his eyes, a workman wilfully violated his contract of service, and where his wilful violation brought suffering upon others, a case might be made out for his being punished severely; but that would be an exceptional case.

85. You have not considered in what way such exceptions should be made?—I have not drawn the line precisely as to where that sort of liability should begin.

86. I gather generally from your evidence that you think there ought to be a change in the present law; that, instead of a breach of contract on the part of the servant being made a criminal offence, as it now is, it should be made a civil offence; and that the jurisdiction should, in your opinion (supposing a change in the law made), be transferred from the justices to the sheriff or sheriff substitute in Scotland, or to the county court judge in England; but you consider that there may be cases with which it may be necessary to deal specially and exceptionally, such as those to which you have just referred; although you are not prepared to state in what way those cases should be more severely punished, and how they should be exceptionally treated. That is the substance of your evidence, is not it?—Yes.

87. Mr. *Clive.*] You stated, in the early part of your examination, that the justices were of the master class; you think that they are not the proper class to have the hearing of these cases?—I do not think they are.

88. You want professional lawyers to decide them?—Yes.

89. You mentioned that in your own case you were arrested and imprisoned for five hours while the trial of the other men was being proceeded with; in that instance you complain only of the arrest and the mode in which the law was about to be put in force?—Yes.

90. Can you give us any instance of hardship in your trade from imprisonment?—I can give a case of hardship that very recently occurred; I have a document in reference to it. It was the case of a journeyman potter, in the employment of a firm in Glasgow, who, having wrought at a description of work which was moderately remunerative, was ordered suddenly to go to another class of work which

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which had been usually given to apprentice boys. The effect of this change in his status was to lower his wages considerably, and he considered himself justified in refusing to do that work; he had some doubts whether he was legally bound to do it, and he consulted an agent or lawyer, with a view to getting advice as to his exact legal position; the agent took the matter into consideration, and advised him that he was not legally bound to manufacture that class of work. Some correspondence passed between the one and the other, and the result was that the employer, through his foreman, lodged an information upon oath in the usual way, in the procurator fiscal's back room, there being nobody to hear it, I presume, but himself, and the man was apprehended within the works upon an information which set forth that he had absented himself from work; he came there day by day, and offered his services in the capacity in which he had previously served, and he was always met with the reply, that unless he did this special class of work, which he thought he was not legally bound to perform, there was nothing else for him; he was arrested within the works and taken away by the sheriff's officer to trial. His agent attended to defend him; the case was adjourned from that day to that day eight days, when it was heard for a short time, and then adjourned again to another eight days: he was let out, in the interim, on a bail of 5 *l.* The trial was a long one, occupying six or seven hours, from the evidence brought forward to show that it was the custom of the trade for apprentices to work at this class of work, and that it was a degradation of the man, so to speak, to put him to that class of work, and that the man was not guilty of an offence within the statute. The plea in law was set up, that the master had no right, at a moment's notice, to reduce the earnings of the workmen to about half, which it was calculated this would do. The pleas in law were not admitted by the court, and the justice, having seen that it was a *bonâ fide* dispute between them as to liability, said that he would convict, but would order the man to go back to his work, and work the month's notice, which was the time required, and thus implement his contract. The employer authorised the procurator fiscal, who was his agent on that occasion, to say that he refused to take the man back, and he demanded that the man should be punished. The justice, or the assessor in his stead, urged that it would not be fair to send so respectable a journeyman to prison, and was very indignant at the matter being insisted upon, but the procurator fiscal said that he had a painful duty to discharge, under the circumstances, and insisted that the man should be sent to prison, and the man was accordingly sent to prison for seven days. Of course the justice had power to send him for three months if he chose.

91. Mr. *M'Lagan.*] With hard labour?—Yes; if hard labour did not accompany the sentence it was liable to be quashed on that ground.

92. Mr. *Clive.*] That you think a case that ought to have been decided before a proper legal tribunal?—Yes.

93. With or without a jury?—Without a jury.

94. You would be satisfied that a competent legal authority, such as the sheriff in Scotland or the county court judge in England, should try such a case without a jury?—Yes.

95. You have been asked with respect to breaches of contract by single men (having no effects) involving consequences to the property of persons; you think that such breaches might be considered criminal?—In certain extreme cases; I would have no objection to such cases being dealt with in the way in which cases are sometimes dealt with under the common law at present, that failing to procure a bond of caution, or paying the same that was decerned as due in consequence of the breach of contract, the man should be in some cases committed to prison till he found a bond of caution; he should be required to pay what the judge thought proper as a punishment, or find a bond of caution to implement his contract.

96. In the case of a single man who had no property to distrain upon, would you object to imprisonment in the event of his failing to execute his contract?—Yes, I would object to his being imprisoned.

97. Supposing the county court judge or the sheriff found 40 *s.* or 20 *s.* damages for the master, would you object to imprisonment in the event of non-payment?—I would not object to the same course being followed as is followed in England when a man is ordered by a county court judge to pay a certain sum per week; I understand that, failing to obey the order of the Court, he is liable to be imprisoned.

98. He is only liable to be imprisoned under certain circumstances; he is not liable to imprisonment for non-payment; should you object to imprisonment for non-payment of damages found by the county court judge or the sheriff?—I would not object to it.

99. Provided it were not accompanied with hard labour, and provided the case were not treated as a criminal matter?—Just so.

100. Mr. *Fawcett.*] Of course, there are very often cases of masters breaking contracts with the men?—Such cases occur very frequently.

101. You have been asked whether, in certain extreme cases, a man breaking a contract may not injure his fellow workmen; of course, you can conceive an extreme case, in which the master, breaking a contract with one man, may also injure the other workmen by that act?—Yes.

102. You have said that, in the extreme case of one man breaking a contract wilfully, and injuring others, you would not object to that breach being treated criminally; I presume, in the same extreme case, on the part of a master, you would wish the same justice to be meted to him, and that his act should be treated criminally?—I think I stated that; I object to workmen being treated as criminals at all; I would not object to imprisonment for failing to pay a debt.

103. I understood you to say that in an extreme case where the act of the workman injured others, you would not object to imprisonment?—I wish to be very guarded upon that point; unless the act amounted to almost an offence that is already held to be a crime in the eye of the law, I would not admit of its being punished criminally.

104. Do masters often break their contract, from the fact of trade being bad, discharging their men before the term of the contract has expired?—I am not prepared to say that they do; though I have seen many cases where the workmen were dismissed at once; there are so many grounds upon which it is legal for an employer to discharge his workmen, that it is very difficult to tell when an employer breaks his contract, unless it is actually reduced to writing.

105. Sir

105. Sir *James Fergusson.*] You put the question of criminality very much upon the ground of injury to others, do you not?—Pretty much so.

106. Take a case in which from the heaters in rolling mills declining to work, the whole of the mills are thrown out of employment; by the present law, those men would be liable to imprisonment, and the masters therefore would have the power of compelling them to resume work against their will?—Yes.

107. But if the men were merely liable to civil process and to a fine after civil procedure, such fine might be borne by the men of their trade, and there would not therefore be the same power in the master to compel them to resume work?—No; if men were organised to defeat the ends of the law in such a way as you suggest, it would not press with very great severity upon them, but with respect to the case you put of stopping the whole of the employment in the mills by the heaters leaving off work, the same thing would occur if the men even wrought the legal term of notice; there would be the same hardship put upon the rollers if the heaters gave the due notice to give up working; the rollers would find themselves in the same hardship at the termination of the notice, as they would by an abrupt termination of the work, such as you suggest.

108. It would be possible, would it not, for the masters to supply their places if they went at the termination of their notice?—It would be scarcely possible.

109. Would not the rest of the workmen, as well as the employers, be deprived of a remedy which they have at present if, in a widely extended strike, such as that which occurred in Glasgow about a year ago, where the heaters struck work, the criminal procedure was put out of the reach of the aggrieved persons?—They certainly would not have such power to punish.

110. There would not be the same power to rescue the other workmen as well as the employer from the consequences of those acts?—But the associations at present are able to diminish that power to a considerable extent; they can put upon employers a great deal of trouble by appealing cases to the superior courts; they can bring their united funds to bear upon the case, and they may put the master to a great deal of trouble and expense at present.

111. Take the case of a large work in which the men, at an indispensable stage of the work, refuse to work; by putting the law in force, and subjecting some of them to imprisonment, the whole of them are at present compelled to resume work; but supposing civil process to be substituted, the employer and the fellow-workmen would not be able to obtain the same remedy?—Clearly, if the putting of the law in force as at present induced the workmen to resume work; but the law, as now put in force, is almost defeated by the workmen; in a great many cases it has not the effect of frightening the rest into obedience to the master's demands.

112. Have there not been cases in Glasgow, within your recollection, where the men engaged in an important branch of a particular trade have been compelled to resume work which they have left, by criminal proceedings being taken against some of them?—They may have been led in some cases to reconsider the position in which they were placed and resume work, but in the case I gave to the Committee of my own personal experience it had not that effect, for not one of us resumed work until the prosecution was withdrawn, and we who were brought to trial were only three out of 16.

113. Do you wish that the sheriff should have the final decision, and that there should be no appeal from him to the Court of Session; I would not object to the sheriff having the final decision, having confidence in his knowledge of the law, and in his administration of it.

114. Mr. *M'Lagan.*] In the case which you mentioned of the journeyman potter being apprehended and imprisoned, I understood you to say that the justice of the peace was disinclined to imprison such a respectable man; was it by the advice of the procurator fiscal that he was imprisoned?—The procurator fiscal, acting as the agent of the employer, insisted that he should be imprisoned, he was not there in his official capacity.

115. Did I understand you rightly to say that you disapprove of notices?—No, I do not disapprove of them; those are matters which we do not propose to interfere with, as they are contracts between employers and employed.

116. Are you aware that in certain trades the employers give the workmen houses to live in while they are in their service?—It depends upon their circumstances; if they are out in country districts it is almost indispensable that they should build houses for the workmen.

117. Is not it the case that very often those houses are half furnished by the employers?—I am not aware that they are.

118. Do not you know that they have beds in them very often?—The common way of arranging the bed is to introduce it between two brick partitions, one erected at six feet distance from the wall at the side of the house; a board being put across to bear up the mattress.

119. Is not it the case that very often there is very little furniture for the master to seize upon in the event of the workman not implementing his bargain?—Yes; you can scarcely call that furniture at all; those beds are usually in what is called the kitchen. Perhaps you are aware that in Scotland generally the workmen do not have more than two apartments.

120. And very often only one?—Yes; but any journeyman worth having almost always has a pretty neatly furnished room, the furniture of which would be of considerable value; he would have a chest of drawers, representing, perhaps, from 4 *l.* to 6 *l.*, or 9 *l.*; a bed which may be valued at 2 *l.* to 3 *l.*; half a dozen or more of hair-bottomed chairs, which would represent 10 *s.* or 12 *s.* each; a carpet; and, if inclined for literature, there would be a book-case, and a number of books; representing altogether, in many cases, upwards of 20 *l.*, and not unfrequently 30 *l.*

121. I am referring principally to colliers; they have not so much as that generally speaking, have they?—I have not visited colliers' houses much; I have seen an immense display of "loudly" decorated pottery generally, but whether they go in for furniture I am not prepared to say; I know there has been a great improvement in that respect of late years.

122. You said that you knew a great deal about the glass trade; do any of those workmen whom you represent belong to the glass trade, as well as the pottery trade?—We have a representative amongst us, who represents the glass trade, but he is not a practical glassmaker. The difficulty in getting glassmakers to attend is that they have no night in the week except

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Friday and Saturday; they work six hours on, and six hours off, from Monday morning to Thursday evening, or early on Friday morning, so that it is not possible for those workmen to attend the meetings except on Friday and Saturday, and the meetings are generally held in the beginning or middle of the week.

123. Is it not the fact that workmen in the glass trade are very much dependent upon one another?—The most important workman in the glass trade is he who finishes the work, and he, having passed through all the grades of the manufacture, can do it all himself, from top to bottom.

124. Take the black bottle trade?—I do not see that there is any particular difficulty about that; it is not such an artistic occupation but that any person who can blow a bottle can finish it.

125. Is not it the case in the black bottle trade that the one branch is so dependent upon the other that, if one man were to leave, the whole work must stand still?—If the teazer who keeps the furnace were to run away, the whole would stand still, but anyone could put coals into a furnace.

126. Is there not a great deal more in the teazer's work than putting coals in the furnace?—Yes.

127. Supposing the teazer to leave two or three hours before the metal was required, and the men came on, say, at six in the morning, to blow the bottles, and they found no metal ready for them, would not those men be thrown out of work for two or three days?—I do not know that they would be thrown out of work for two or three days, but they would be put to disadvantage; but the glass bottle workmen are very irregular in their work, and it would be merely postponing doing the work for an hour or two, a thing that occurs ordinarily in the regular process of manufacture; it would just be the inconvenience of an hour or two. I cannot conceive any greater misfortune occurring.

128. Are you not aware that the metal is required to be kept at a regular temperature, and that a skilled man is required at the furnace in order to do that?—I am aware that the metal requires to be kept at a given temperature, but I never saw a teazer that I would call a skilled workman at all, and I have seen a great number; the men who I have seen at that occupation have been put to it principally because they had great strength, and could endure the fatigue, the teazer not requiring much previous instruction. There is no branch of manufacture in which the workman does not require to know something that a stranger does not know.

129. The teazer requires a little teaching to know the proper temperature to keep up?—Of course.

130. Mr. Alderman *Salomons.*] Your object is, that there should be the same law for the master as for the workman, and that, under no circumstances, should the workman be punished criminally for any breach of contract?—That is what we want.

131. With respect to the case of the journeyman potter who was taken up and imprisoned, what was the nature of his contract?—Simply the rules of the work; there was no contract at all but the rules of the work; and that is one of the objections we have, that the master can make a contract like that, and prescribe in the contract the penalties which a breach of it will incur, and yet, not content with the stipulations of his own contract, he can rush into court and send a man to prison for a breach of contract, the penalties for the breach of which he prescribes in his own contract.

132. We are to presume that the workman is a free agent, the same as the master; did the master in that case attempt to do anything but enforce the contract, which he and the master had come to?—There was no contract except the rules which were hung up. Some of the judges have held that it is sufficient, if you walk past the rules, no matter whether you read them or not, if you take off your coat and begin to work under them, you are just as liable as if you had read them.

133. Was it proved, in that case, that the master had work of a proper kind to give the man, and that he wilfully gave him inferior work?—It was not attempted to be proved that he had other work.

134. Assuming the master had not that proper work to give him, what, in your opinion, should the master have done?—From all I could see there was no necessity for changing the work at all.

135. Supposing there were not sufficient of that work to go on with, what should the master have done. I presume the man was engaged by piece-work. You say, he ought not to have had the inferior work given him to do; supposing the master had not sufficient of that better kind of work to go on with, what should he have done?—He should have kept the man working at the class of work to which he was entitled, and have given him notice to quit if he had not that class of work to continue him at.

136. And pay him a compensation in wages, you mean?—No; he would be under no obligation to pay the man more wages than he had wrought for.

137. You suggest, that the remedy of the master against the servant should be by civil process. Suppose the master brought a civil action against the man, and the man had not any property, what then?—The master would have the man's wages to fall back upon; he would work somewhere.

138. Do you mean that you would mortgage the man's future wages?—Yes.

139. Would not the effect of that be to make the man almost a slave; would you, supposing a workman got into trouble and then went into the service of another employer, impound that man's wages?—At present the sheriff has the power to arrest a man's wages; a man must work, and it would be a very extreme case to suppose that a man would run up and down the country for the purpose of evading any such arrestment of his wages.

140. Supposing a man should make preparation to go to France or Australia, would you suggest that the law should interfere to prevent his going away and cheating his employer out of his damages?—I do not know how the law stands in England as to that, but we have a law in Scotland under which persons who meditate fugitation can be prevented from going away.

141. Mechanics have a great objection to being sent to prison, have they not?—Yes.

142. It affects their character?—Yes.

143. Is not there an indisposition among the workmen to work with a man who has been sent

to prison?—Not where a man has been sent to prison for a breach of contract; the only feeling in such a case is commiseration for the person who has been punished under an unjust law, and he is looked upon more in the light of a martyr than in the light of a person who was a criminal.

144. It irritates his fellow-workmen, but they would have no objection to work with a man who had suffered such a punishment?—No, not the slightest.

145. Mr. *George.*] These proceedings by master against servant are taken under the 4th of Geo. IV., c. 34, are they not?—As far as I know.

146. They may be taken before a single justice?—Yes.

147. Are they ever, in practice, taken before more than one justice?—It depends on how the bench is constituted; sometimes two or three tumble in by chance.

148. There may be one, or there may be more?—Yes.

149. Those justices, you say, are occasionally masters?—Yes; I say that in the manufacturing districts they are almost invariably masters; they are always of the class which is predominant in the district of country in which they reside.

150. I do not understand you to say or to complain that any master, being a justice, ever attempts to adjudicate in his own case?—No.

151. But you object to any justice who is a master adjudicating?—Yes.

152. Would you object to those cases being heard before a justice of the peace, an ordinary country gentleman who was not a master?—I would; because I do not think, as a rule, justices of the peace are sufficiently versed in law to administer it in these cases, with the requisite precision.

153. Is not there jurisdiction in the country magistrates to consider all cases of dispute in respect to agricultural and other wages, the dealing with which is not supposed to require any very great knowledge of law?—I am aware that country gentlemen are competent to sit as judges in matters affecting agricultural service, and I presume that they are not required to have much knowledge of law. That is one of the things we object to.

154. Do you consider the adjudication of these cases between masters and servants, under these statutes, to require more knowledge of law than the adjudication of cases of disputes about wages in agricultural matters?—Yes, I think they require a greater knowledge of the law.

155. Is it on that account that you suggest that they should be heard in Scotland before the sheriff, or the sheriff substitute, and in England before the county court judge?—It is not exclusively on the ground of want of legal knowledge, on the part of country magistrates, that we object to their adjudication upon the cases; we object upon the ground that, whether they are adjudicating cases between agricultural servants and their employers, or between other workmen and their employers, they are appointed out of the class of persons who bring the complaints before the justice; and it is not impossible that the party complained against may suffer in consequence of his having no representative upon the bench, there being no chance of a workman being a justice of the peace.

156. Do you find from your experience in other transactions of life, that because magistrates are of a superior class they are incapable of adjudicating fairly between a man of their own class and a man, not inferior in reality, but inferior in rank?—I do not feel at liberty to make such an accusation as that.

157. However, you would prefer that the sheriff or the sheriff substitute in Scotland should be the tribunal that should have jurisdiction in these cases; is the court of the sheriff a constantly sitting court?—The sheriff or his substitute has stated times of sitting; the court sits constantly, so to speak, in one or the other part of the district. In Glasgow, for instance, the sheriff can be had recourse to on any day.

158. But in a country district, or a place distant from a town, how often, generally speaking, does the sheriff substitute hold his court?—I am not prepared to speak as to that.

159. Every week?—More frequently than that.

160. Assuming that a man was summoned for a breach of contract as between him and his master, might it not be very inconvenient not to have an easy tribunal available, so as at once to settle the dispute between the master and the servant?—I can conceive that inconvenience might arise from delay in bringing about such an arrangement as would cause the party complained against to resume his work and fulfil his obligations; but I can conceive that, under the present system, the master may be as much injured as in the case you suppose. If the object of the master is to get the man to resume his work, sending him to prison for three months would not be the way for him to gain his object.

161. You assume that the servant is to be sent to prison for three months; are there not a great number of cases tried or heard between master and servant where no imprisonment whatever takes place, but where the case is amicably settled between master and servant before the justice?—I know that there are a number of cases in which imprisonment does not follow the process. Documents which are presented annually to the House will show that the number of complaints are not the same as the number of convictions, showing that in all cases imprisonment does not follow conviction.

162. Do you not think it very desirable that there should be a permanently sitting tribunal, before which those small cases between master and servant could be promptly, possibly amicably, but, at all events, promptly, adjudicated upon?—I do not consider that any great hardship would arise from waiting the regular return of the sittings of the court in various localities. It must be borne in mind that in all, or nearly all, manufacturing districts there are large populations gathering round the seat of manufacture, and courts must necessarily be held at frequent intervals there; and when we consider that the number of cases in country districts are so very few as compared with those occurring in the manufacturing districts, I do not see that any great difficulty would arise in consequence of the court not sitting from day to day.

163. Suppose a trifling dispute arose between master and servant, upon the adjudication of which depended the resuming of the work of a number of workpeople, might not very great inconvenience occur by even three days elapsing before that trifling dispute could be adjudicated upon?

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upon?—I can conceive that inconvenience might arise.

164. You complain that masters and servants are not on the same footing, and you object to a warrant being issued in the first instance; would you object if a summons were issued in the first instance, power being given to issue a warrant in case of non-attendance upon that summons?—I would not object to that.

165. You object to the first process in every instance being in the nature of a criminal process; that is to say, a warrant for a misdemeanour?—Yes; in a case where the party did not respond to the summons, of course he could be apprehended for contempt of court.

166. Is it considered by the working classes that all the cases which are prosecuted under this Act of 4 George IV. are in the nature of misdemeanours. The words of the Act are, if they should be guilty of a breach of contract, "or of any other misconduct or misdemeanour." Is the idea among the working classes that all transactions which are adjudicated upon under this Act are in the nature of criminal offences?—Of course they are bound to consider them so, because they are brought under the criminal law, and there is no appeal but to a criminal court.

167. You have already stated, and very correctly, that there is a threefold power given to the magistrates, that he may either commit the party to the House of Correction and abate his wages, or, in lieu thereof, he may punish the offence by abating the whole or any part of his wages, or he may discharge him from his contract. Supposing, instead of that power of abating the wages from time to time, there was power given to the magistrate, if he found it to be a mere civil matter, to impose a penalty of, say, 40*s.*, or whatever might be considered right or proper; would that meet the view you take of its being more in the nature of a civil than a criminal matter?—Yes, that is what we would propose; to have the penalty defined in money for a breach of contract.

168. I understand you, on the part of the workpeople, to say that inasmuch as there are a great number of those dealings between masters and servants that are purely of a civil nature, you think it hard that they should be all treated as misdemeanours under this statute; and that there ought to be a distinction in the summoning, in the mode of treatment, and in the punishment, between those matters that are purely breaches of contract of a civil nature, and those that would savour of misdemeanours or crimes?—Exactly, that is what we mean.

169. Mr. *Algernon Egerton.*] You say that in most cases the only contract between masters and workmen consists in the rules being posted up in the works?—Yes, when I say that I speak only of Scotland.

170. Are you aware that that is the case generally in collieries, that the contract consists merely in the rules hung up in the pay place at the colliery?—Yes, that is the case, I understand.

171. Those rules frequently specify certain money penalties, do they not?—Yes.

172. You consider that the penalties prescribed by those rules should be the only penalties to which the workmen should be liable?—I consider that if the master defines the obligation under which the workman is to serve, and if he defines that a breach of that obligation shall be met by a penalty of a certain amount, he ought to be satisfied with that sum which he himself names.

173. Where a man cannot pay the money which he owes to his master, you have no objection that the master should be at liberty to proceed against him according to the ordinary rules of law for the payment?—As I understand, the rules of factories give power to the employer to deduct from wages in his hands.

174. They give him no further power?—There is no further power necessary than to confiscate the amount which the rules set forth.

175. Do I understand you to recommend that the law making a breach of contract a misdemeanour, should be entirely abrogated in all cases?—Yes, to the extent which I have indicated in my previous answers.

176. Mr. *Potter.*] You made use of the word "manacled;" did you ever see a workman brought up manacled?—No; I have never myself seen a workman brought up manacled.

177. Mr. *Solicitor General.*] You said just now, in answer to a question, that you would define misdemeanours to the extent to which you defined them in your previous answers; I did not quite understand your previous answers; I wish to know whether or not you adhere to what you said to me some time ago, that certain breaches of contract of an extreme character should be treated as misdemeanours?—Certain extreme cases.

178. In certain extreme cases you would treat a breach of contract as a misdemeanour?—Yes.

179. Will you give some definition of those extreme cases; you do not suggest that every breach of contract should be treated as a misdemeanour, but you say that some breaches of contract should be treated as misdemeanours; what sort of breach of contract do you suggest should be treated as a misdemeanour?—In cases where neglect to perform the duty imperilled the lives of persons; that would amount almost to a crime.

180. Would you go further or not; would you say that a neglect of duty which was calculated to imperil property to any considerable extent, should be treated as a misdemeanour?—Neglect of duty might occur, the consequence of which would be a risk of setting property on fire.

181. That is rather vague; would you call the neglecting to use the safety lamp in a mine a misdemeanour; is that what you have in your mind?—No; I do not know anything about matters underground.

182. What had you in your mind when you talked of neglect of duty being likely to cause fire?—I have no clearly defined idea as to what neglect of duty would amount to a misdemeanour; for instance, a man in charge of boilers might neglect to conduct the operations entrusted to him, the effect of which would be to imperil the lives of the workmen.

183. That would come under the head you have given before of neglect of duty calculated to imperil life; are you inclined to go any further?—No, I am not inclined to go any further.

184. However great the inconvenience caused, or however great the distress caused, by any amount of breach of duty, both to employer and labourer, you would not make it a criminal offence?—No.

185. You would only make those neglects of duty criminal which were calculated to imperil life?

life?—All civil obligations should entail civil consequences only.

186. I ask you what neglects of duty you would class as misdemeanours, and you say those calculated to imperil life; do you confine yourself to that, or do you go further, and make any other neglects of duty crimes?—I am not prepared at present to define anything further.

187. You said to the chairman that there might be cases where neglect of duty would tend to throw a great number of men out of employment and injure the master's property, and you would treat those cases exceptionally; will you explain in what sense you used the word "exceptionally"?—As an illustration of what I mean, persons may be in charge of machinery which, if neglected, would smash and throw the whole of the workmen out of work; that would be an aggravated case. It would depend upon the degree of neglect whether a person should be liable to be imprisoned or not.

188. In such a case as that which you put of neglect to attend to machinery causing the smashing of the property, would you treat such a neglect as criminal?—I am not prepared to give a decisive answer upon that subject.

189. Would not it be proper that the precise class of offences or breaches of contract which should be regarded as criminal should be defined by a statute rather than be left to be determined by the judge in each particular case?—I think that it would be best to define them by statute.

190. You used one expression which seemed to be a little vague; you said that you would not allow any breach of contract to be treated as a misdemeanour, unless it amounted almost to an offence under the ordinary law; will you explain that a little?—In Scotland a neglect of duty imperilling life amounts to what is called culpable homicide.

191. We know that carelessness leading to a loss of life may amount to manslaughter; if a man drives carelessly over you, that is manslaughter; we are not dealing with the ordinary law, but with the creation of an offence by statute; do I understand you to say, on further consideration, that you would not interfere with the ordinary law, but that only in those cases where the ordinary law would create a criminal offence, you would make a breach of contract or neglect of duty a criminal offence?—To the extent which I have indicated already; at the same time I think that the same judge who should consider the amount of damage to be awarded in case the complaint was in the nature of a civil action, should have jurisdiction in respect of criminal punishment.

192. I understand your evidence to amount to this, that you do not go beyond making a neglect of duty calculated to imperil life a criminal offence?—I do not go beyond that.

193. As to making a neglect of duty tending to injure property a criminal offence, you do not give a decided opinion?—Not a decided opinion.

194. Mr. *Gathorne Hardy.*] I understand you to say that you represent a society at Glasgow?—It is not only a society but a number of societies.

195. But you represent, first of all, a society at Glasgow, and you come here as a witness for that executive committee which was appointed at a conference of the trades?—Yes.

196. Do you represent them as to the grievances to which you have referred only, or as to the remedies, also, that you have suggested?—I represent them as to the grievances, and as to the remedies also.

197. I take it that you have authority to state, on the part of those trades which you represent, that what you desire is that the power of laying an information for a criminal offence for a breach of contract should be done away with absolutely?—Yes; I have authority to state that that is one of the objects they have in view.

198. That the mode of proceeding should be an ordinary civil process, obtaining a summons from the county court judge in England or the sheriff in Scotland?—Yes.

199. And that it should be treated as a civil action in each case?—Yes.

200. That if the servant were injured he should bring his action, and if the master were injured by the breach of contract on the part of the servant, he should also bring his action?—Yes.

201. Supposing the case of a person in your own trade, whose absenting himself from his work would stop the work of two other persons, would you allow those two other persons to have any remedy against him?—Yes.

202. By the same process, by action?—By action for damages.

203. Supposing a master has, by one or two servants absenting themselves, lost the power of fulfilling a contract which renders him liable in damages to a considerable sum of money, in what way do you propose he shall get redress for that?—I cannot offer him any other redress than the means of the persons who have broken the contract.

204. Supposing they have no means?—Of course, all contracts such as that are entered into without consulting the workman at all as to their duration.

205. You said that in case a workman had no effects you would not object to imprisonment?—Till he should find caution to fulfil the order of court.

206. In some of the questions put to you a distinction was made between married and unmarried men; but in both cases you would require a bond of caution, relieving them from that imprisonment which you think ought to be inflicted if they did not pay what they were ordered to pay?—I would not object to that.

207. You would not exempt the unmarried man from the bond of caution if you inflicted it upon the married one?—No.

208. Do you think that it would be a beneficial thing for the workman that, instead of the present process, the master should have the power of selling him up absolutely by distress warrants for the whole damages that the county court might inflict upon him?—I think it would be very advantageous, compared with the present system.

209. Assuming that this mode of dealing with the cases which you suggest were adopted in England, you know, I suppose, that the county courts sit, probably even in large places, not continuously?—I am aware of that.

210. You would agree, I suppose, also, that promptitude in those cases is of the very greatest importance very often?—Yes.

211. Has it happened to come to your knowledge that many questions of law have arisen in those cases of breach of contract between master and servant?—It has come to my knowledge that questions of law have been raised before a justice with very little effect.

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212. In England a workman would always have the power of getting a case stated for the courts above, would he not?—Yes; that is not the case in Scotland.

213. If the case were left to the county court judge or the sheriff, would you be content that the decision should be final?—Yes.

214. Would you take the same view of the case if it were referred to a stipendiary magistrate?—I cannot speak as to the legal qualifications of the stipendiary magistrates; I have no knowledge of them.

215. In an answer you gave very recently, you spoke of getting those damages from a workman by following him to future masters; do you think that would be a practicable proceeding?—Yes, I think it practicable.

216. Is there anything to retain a workman in a particular neighbourhood, or to compel him to get employment in a particular place?—Yes; his necessities.

217. Take your own city of Glasgow: suppose a workman to have broken his contract in Glasgow, and to be ordered by the sheriff to pay so much a week of his wages to his master, what is to prevent him seeking for work in any part off England?—Nothing.

218. In what way do you propose that his wages should be followed up?—There should be a power in the statute to render the decision of the judge in Scotland as valid in England as it would be in Scotland, and *vice versâ*.

219. I am looking at it, not as to the law, but as to the practice; who is to follow up a man of that sort, who is seeking work wherever he can get it?—The party who has the claim against him.

220. Do you think that that would be a practicable proceeding?—I think, in general cases, it would be perfectly practicable. In most cases it would not be necessary, because it would be only that class of individuals, vulgarly designated "roughs," in whose cases it would be necessary to do that.

221. They would be the ones most likely to break their contract?—They would be most likely to break their contract, certainly.

222. With regard to the Scotch law, in that particular case to which you referred, the procurator fiscal urged upon the magistrate that he should inflict the punishment of hard labour and imprisonment?—He urged that the man should be sent to prison, hard labour being a necessary accompaniment; he did urge that the man should be sent to prison.

223. Has the procurator fiscal any power to dictate to the magistrates what punishment they should inflict?—Not that I know of in the law; but it showed the ignorance of the justice as a legal gentleman, that he did not know it himself.

224. Sir *James Fergusson.*] Is not it the case that the practice in the courts of Scotland, is for the public prosecutor to press a certain portion of the charge, and to press for punishment upon the higher or the lower scale?—That is the practice; but it was not followed in this case.

225. Mr. *Hardy.*] Is there anything in the law of Scotland to prevent the magistrate saying, "I order you to be imprisoned for an hour"?—Nothing in the world; he might have said, "I order you to be imprisoned till the court rises."

226. In this particular instance, you consider that the fault on the part of the magistrate was, that contrary to his own judgment, he was led by the procurator fiscal to do more than he thought just?—Yes; I consider it was in consequence of the ignorance of his own power he did that. It was with great reluctance that he did it at all.

227. Was that a single magistrate?—Yes.

228. You wish to take cases of breach of contract out of the category of criminal offences; would you object to treating actual misconduct, as, for instance, a man carelessly using machinery, as a criminal offence?—I have already stated that I am not prepared to give a decisive answer relative to carelessly using machinery, unless it amounted to imperilling human life, but I would have the entire law reconsidered, and a statute, civil in its nature, enacted, which should define the offences and the mode of dealing with them, so that it should be all within one single statute, which it is not at present, so as to have the thing easily understood.

229. In the first place you wish to put all the law relating to master and servant in one statute?—Yes.

230. Secondly, you would put masters and servants on the same footing as to bringing actions one against another for breach of contract?—Yes.

231. And thirdly, in certain extreme cases, not at present defining what they are, you would still give power to punish a workman criminally?—Yes.

232. Mr. *Fawcett.*] If a master imperilled life, would you have him punished criminally?—Yes.

233. Mr. *Hardy.*] I do not understand you to mean that the county court judges should have power to deal with the criminal part of the offence in any way; that would not be their business at all?—They might have this power given them, that they should commit to the criminal court; that is a matter for legal gentlemen to define; that is a matter of procedure.

234. Your great object is to get rid of the disgrace to the workman of being brought up as a criminal in the same way as if he had committed a theft?—Yes; that is the legal aspect of the question; and an object to be gained in a moral point of view is to keep our workmen (who, some people appear to think are bad enough already), from being made any worse by being sent to harbour with thieves and robbers in prisons.

235. *Chairman.*] You have said that you would propose that such cases should be dealt with by summons and not by warrant, but that failing appearance on the summons a warrant should be issued; what would be the shortest period that you think should elapse between the summons and the issue of the warrant?—On his failing to appear at the time specified in the summons, a warrant should be issued.

236. What length of time would you allow for his appearance; within what time of the breach of contract would you have him summoned to appear!—As quickly as possible.

237. Immediately on non-appearance the warrant should issue?—Yes; it should be as quick as possible, because the interests of the workman might be as adversely affected by a length of time elapsing between the committing of the offence and the hearing of the complaint, as the interests of the masters, comparatively speaking.

238. What trades were represented at that

trades'

trades' meeting which remitted to the Glasgow committee the taking of further steps to bring about an amendment of the law?—All the trades of Sheffield were represented by the secretary of the organised trades of the Sheffield Association. The plasterers of England were represented as a trade; the iron-moulders of England were represented as a trade; the trades' council of London, which comprises various trades, were represented by two persons; the amalgamated engineers were represented by delegate sent specially; the united trades of Glasgow, who have a trades' council too, were represented by myself and another person who will be a witness.

239. Were the miners represented?—Yes; both nationally and sectionally. The operative bakers of Scotland were represented by their secretary.

240. How many representatives altogether met?—I do not remember the precise number; I have not a copy of the report with me at present, but it may be said to have included the whole trades of the country.

241. With a view to ascertaining the views of the trades upon this question, would you advise the Committee to examine those representatives as the fittest and best exponents of the feelings of the particular trades?—I am not sure that any good purpose would be served by having them all called up and examined. I am afraid the inquiry would be a very lengthened one if they were to be all examined.

242. I meant a selection from them?—A selection from them would represent the views of the whole.

243. Were there any representatives of the factory workers there?—No.

244. You have said that you yourself have never seen any servant manacled; have you known of any such case?—Persons who have seen it have told me that they have seen it.

245. Mr. *Clive.*] Your evidence as to the proceedings taken by masters against servants is founded on your experience in Scotland entirely, is it not?—Not exclusively.

246. Are you aware that in England a county court need only sit once a month, and that in very many parts of England it only does sit once a month?—I was not aware of that.

247. What should you propose should be done in a case where a complaint arose in a locality where there was no stipendiary magistrate, and where perhaps it might be a month before any legal tribunal could be had recourse to?—I cannot suggest anything else but that the people must put up with the circumstances in which they are placed.

248. Would not that make a great difference in the civil remedy?—I do not see it.

249. Ought it not to be immediate?—I think, as far as practicable, it ought to be immediate.

250. But if not practicable, what then?—I do not see but what it is practicable.

251. You would make the county court sit every day?—No; but if the county court judge only sits once a month, perhaps it would be no great hardship for him to do a little more work.

252. Suppose he has 30 places to sit at?—If it is necessary to have more judges, let us have them, rather than that any person should suffer unjustly.

253. Sir *James Fergusson.*] Are you aware that in most parts of Scotland these cases generally come before the sheriff?—I am not aware that they do; it is not competent for him, except as an *ex officio* justice of the peace, to hear them.

254. But still, as an *ex officio* justice of the peace, in most parts of Scotland, is not it the practice to take these cases before the sheriff?—I never knew of a case being taken before the sheriff.

255. Are you aware of the difference in the law of master and servant caused by the Summary Procedure Act for Scotland, passed two years ago?—Yes, I am slightly aware of it.

256. I mean as regards the distinction between civil and criminal procedure?—I am aware that the Summary Procedure Act goes into some definition as to the proceedings, but I have not it in my memory at present.

257. Is not it the case that a breach of contract is now only regarded as a criminal offence in respect to the injury it does to an individual?—No, that is not the case; it is not only in respect of the injury it does; it is not necessary that it should be proved that any injury has been done at all.

258. Is not it necessary, in order to constitute it a criminal offence, that it should be proved that injury has been inflicted upon an individual by the breach?—I have said it is not necessary to prove that there has been any injury inflicted.

259. You complain, do you not, of the taking away of the power of appeal on the merits, under the Summary Procedure Act?—It was not competent to appeal on the merits of the case previous to the passing of the Summary Procedure Act; but the Summary Procedure Act most effectually bars appeal under almost any circumstances.

260. You are deprived of an appeal by putting an end to the keeping of a record?—It was not necessary to keep a record in cases of this sort before; the Summary Procedure Act is so much the worse, inasmuch as, if I am correct in quoting from memory, it states that no conviction under this statute shall be quashed for want of form, or conformity to the terms of the statute libelled; previously if the magistrate or justice, or whoever tried the case, did not go about it in the precise terms dictated by the statute the proceedings were liable to be quashed, but the Summary Procedure Act shuts up this back door of escape which was formerly open to us.

261. Is not it the case that an appeal lies upon points of law, and not upon points of fact?—So far as regards these cases we have no appeal upon points of law.

262. You wish to have a record of the evidence kept, and to have an appeal open to you on all points?—Yes, if this statute were to continue in operation; but if the law were amended as we suggest we would not ask anything of that sort.

263. Supposing a change were made in the law, you would wish to have an appeal on all points?—Of course, we want an appeal from a court that can scarcely be called legal to one that is legal.

264. Mr. *Hardy.*] Would it make any difference in your view if, instead of giving the power of sending the case to one justice alone, it were given to two or more sitting together?—Yes; if workmen were justices.

265. Workmen are not county court judges either?—No; but the view which I take is this: if interested classes, such as the justices, are to be judges in cases arising under these statutes,

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in order that the judgment should be fair, the tribunal should be a mixed tribunal. Though the justice may be the instrument through which the judgment is supposed to be pronounced with us, it is commonly the assessor that delivers it.

266. By the assessor, you mean the legal adviser?—Yes, the legal adviser of the bench.

267. Mr. *George.*] Previously to the issuing of the warrant in Scotland, is there any information sworn as to the nature of the misconduct or misdemeanour for which the warrant is sought?—Yes.

268. Sir *James Fergusson.*] The practice which you speak of with regard to the assessor or clerk is this, is it not: the clerk takes the decision from the justice and reads it out?—I cannot speak as to the custom in any other courts than the court in Glasgow, nor can I speak as to the custom there; but I can speak to what I saw on the occasion to which I referred; the justice and the assessor retired and came in again, and I heard the assessor say, "Shall I deliver?" and the justice signified his assent by a nod, and the assessor spoke for the justice.

269. Mr. *Dalglish.*] As I understand, the magistrate having found the case proven, is obliged under the Act to inflict a certain punishment, he has no power of reducing the punishment; the magistrate is obliged to send the party to prison for a certain number of days?—The opinion of the second highest judge in Scotland is that that is not the law of the country.

270. However, that is the practice?—They believe that to be the law and have acted upon it.

271. Mr. *George.*] Is not the express direction of the Act, that the judge may not only send the party to the house of correction, but may, in lieu thereof, punish the offender by abating the whole or any part of his wages?—Yes; I will read as a sample of how the law is propounded to the justices, an extract from the complaint in the case of the journeyman potter to which I have referred: "The said David Thomson is liable to be committed to the house of correction, there to remain and be held to hard labour for a reasonable time, not exceeding three months; and to have abated a proportionable part of his wages for such period as he shall be so confined." You will observe that the prayer of that petition sets forth that the person is liable to all the punishments provided by the statute together; there is no alternative stated; the conviction in that case was quashed on that ground that the alternatives were not stated, and that it was to the prejudice of the party complained against, that they were not so stated.

272. Mr. *Dalglish.*] Is not there another Act besides the one which has been referred to, under which proceedings are taken?—There are proceedings at common law.

273. Mr. *Algernon Egerton.*] There is an Act earlier than that of the 4th of George IV., but not acted upon?—I have never known a complaint in Scotland to be founded upon any other statute than that of the 4th of George IV.

274. Mr. *Hardy.*] The sentence in the case to which you have referred I see is, that he is to be imprisoned and held to hard labour for seven days, and a proportionable part of his wages is abated during that time. That is in accordance with the Statute?—Yes.

275. But the magistrate had the power, if he pleased, not to have sentenced him to prison at all, but to have abated his wages?—Yes, or to have discharged him.

276. Mr. *George.*] The magistrate has the alternative either to imprison him for a reasonable time, not to exceed three months, and to abate his wages, or in lieu of that he may punish the offender by abating the whole or any part of his wages?—I know that those are the terms of the Statute.

277. Therefore the magistrate is not in any case bound to send the offender to the house of correction for one hour?—He is not bound to do so.

278. Mr. *Dalglish.*] You would not propose, by any new Act, to withdraw workmen from the penal consequences of wilful damage to property?—In answer to a previous question, I have said that I do not find my mind quite made up as to where the line should be drawn.

279. A man would be punishable under the common law for wilful damage to property?—Yes, of course.

280. You do not propose to withdraw the man from the operation of that law?—No.

281. Mr. *Hardy.*] Your whole evidence is addressed to breach of contract, practically?—Entirely.

282. *Chairman.*] You do not address your evidence to the Act of 17 Geo. III., chap. 56, for instance, which applies to the embezzling and pawning of materials given to the workman to be made up?—No, that is next door to stealing. I would let crime be treated as crime, but I would have civil obligations treated civilly.

Mr. Alexander Campbell, called in; and Examined.

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283. *Chairman.*] What is your profession?—I am Editor of the "Glasgow Sentinel."

284. That newspaper represents, does it not, the views, in the main, of the working class?—It is the only paper in Scotland acknowledged by them to represent their views fairly.

285. Has it a very large circulation?—It has.

286. Have you always been engaged in literary pursuits?—No; I have been connected with the press, more or less, for 30 years, and I have been connected with the "Glasgow Sentinel" for the last eight years.

287. Previous to being connected with the press, what were your avocations?—I was brought up to the building trade. I served my apprenticeship in Glasgow as a joiner, house carpenter, and cabinet maker. I worked as a joiner in Glasgow, and carried on business as a master builder in Glasgow.

288. So that, in your own person, before you became connected with the press, you had experience of the working of the law of master and servant in the double capacity of servant and master?—I had.

289. In which capacity do you appear before us here?—I am here to represent my own experience in connection with those cases that have come before the justices for several years past, and also as chairman or convener of the Glasgow executive committee, appointed by the working classes of this country generally, to carry on this movement, having, I believe, been the originator

nator of the movement myself, through the "Sentinel," and having brought it fully before two very large meetings in the City of Glasgow, when Mr. Dalglish and Mr. Buchanan were before their constituents, by putting questions to them in respect to the law.

290. That meeting of the representatives of the different trades to which Mr. Newton, whose evidence I believe you heard, referred, originated in a suggestion made by you in your paper?—I believe it did; at least, I have a document here showing that so far back as February 1863 an appeal was made in respect to the law, and the law was clearly defined.

291. You being in the position of president or convener of this committee, and having heard the evidence of Mr. Newton, do you agree with the views stated by him of the position which that committee occupies in relation to the trades' representatives that were assembled?—I do.

292. You consider that you are the executive of that body so assembled, that the conduct of this movement was entrusted to you as the executive, and that the trades' representatives of the whole United Kingdom are your constituents, and not the trades' delegates of London only?—Most distinctly; there is no mistake at all upon that point. The conference held in London two years ago, which was constituted of delegates from the principal branches of industry in the country, and representing the large masses of the organised societies, unanimously agreed that the Glasgow committee, who had originated the meeting, should be constituted the executive committee to carry out the movement, and that all other committees, wherever they might exist, should be subordinate to their direction, the London trades council being merely one of the committees that existed in London for that purpose.

293. You are the convener, you say, of this Glasgow executive committee. Supposing any meeting were to be summoned of the trades' representatives that appointed your committee to conduct this matter, who would summon such a meeting—would it be yourself?—Yes, certainly; and the executive committee along with me. We meet regularly every two weeks, and specially when any business comes before us. We have correspondence from all parts of the kingdom, and we reply to that correspondence, and we have the power of calling a conference in London or any other place, if we deem proper, to carry on the movement. We alone possess those powers, as vested in us by that conference.

294. And since that meeting, at which you were so appointed the executive of the whole body, you yourself have summoned no general meeting, and no general meeting has been summoned?—None whatever.

295. Nor is it your intention to summon any such as at present advised?—We have no such intention, as at present advised.

296. You can speak to the operation of these Acts, both from your experience as a workman and as a master; and I presume, also, as editor of this newspaper, you have a considerable knowledge of different cases that have occurred under these Acts?—I have.

297. The Act under which these cases mostly occur is the 4th of George 4, c. 34?—Yes.

298. On the part of those whom you represent, what would you wish to say to the Committee generally, with reference to that Act?—I would wish to represent the hardship to the working classes that arises in the application of the Act, the manner in which they are treated, and the results of such treatment; I have three cases here which I would like to detail a few particulars about, which have come under my own knowledge. Having heard the evidence of Mr. Newton, who spoke of cases in the iron trade, the glass trade, and factories, I am prepared now to state to the Committee what I know of a case (and I can give more if necessary), in each of those branches of industry; I will first refer to the large foundry and engineering establishment of Messrs. Nelson & Co., called the Hyde Park Foundry, in Glasgow; a case occurred there about three years ago, where the bottom plate of the "Scotia" mail steamer for the Cunard line was to be cast; a certain number of men were set to the job, and the masters wanted them to continue at work night and day without any stoppage (the job requiring four or five weeks to complete), and take just snatches of rest at intervals, as they could leave the work; the men refused after they had worked their first day's work till six o'clock in the evening, the usual quitting time, to continue at that night and day job.

299. Were they serving under a written contract?—No, a verbal contract, under the rules of the work as posted up; they refused to continue to work night and day work as ordered by the foreman; they left the job at the usual quitting hour of six in the evening, and the foreman feeling disappointed in their not obeying his order, said, "Well, you need not come back any more, there is not any more work for you;" they went away.

300. Their contract being only for the ordinary 12 hours?—Yes; unless in cases of breakage or extraordinary circumstances happening, there is a rule that would require them to continue work, but not applying to such a job as that requiring five or six weeks to accomplish. They went back next morning and offered their services on the terms on which they conceived they were bound to work; they were refused to be allowed to commence work again, unless they agreed to continue to work at this night and day work. They left the work because the foreman would not allow them to be employed again, and when they went to receive their pay at the pay day for the time they had worked during the currency of the fortnight it was refused them. On the Monday morning following, the leading man of them was apprehended in bed under a warrant about five in the morning, taken under this Act, and kept a prisoner till 11 or 12 in the day, when a justice could be got, and was then taken before the justice. An agent was employed, and the case was heard under the advice of the agent on the man's behalf; after a long trial the man was set at liberty, the case of hardship being established, that it was altogether an unnatural demand for any foreman to ask the men to continue to work for so long a time as a night and day job, and he was discharged; that was a hard case; on the application of this foreman, and on making an affidavit before the justice, this man is apprehended in his bed and taken out of bed at that time in the morning and kept a prisoner under the charge of an officer; after the trial is over he is liberated; he has no compensation of any kind whatever allowed him by law. To show what difficulties this man, and his companions who were discharged, had under the law in

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in making the employer fulfil his contract, I may mention that they joined issue together, and raised an action, in the Sheriff's Court of Glasgow, for the payment of the wages they had actually worked for; and the case continued for nearly two years in the court. It went first through the court of the deputy sheriff; then it was appealed to Sir Archibald Alison, whose decision was, that the men's wages were to be paid only for the days they worked, but no compensation whatever was given for the breach of contract on the part of the master sending them away without giving them the fortnight's notice. The next case I will refer to is one connected with the glass trade, which has been referred to. It is quite true, that in preparing the metal for the manufacture of glass, if a man leaves before the metal is worked out he injures the employer's interest, but it is rarely the case that such a thing occurs. This case I am going to refer to was the case of a man of the name of O'Brien, who worked with the same employer, Mr. Cochrane, of Glasgow, to whom Mr. Newton referred in the pottery case. O'Brien gave in his fortnight's notice to quit, according to the rules of the work; he left Glasgow and got a situation in Manchester; the masters believed that they had some sort of contract still binding upon the workman who had left them after he gave them a fortnight's notice—it was a dispute about wages; the workman wanted an advance, and they thought he was not entitled to it, whereupon he gave them a fortnight's notice, and left. Some weeks afterwards they made an application according to the Act, got a warrant, sent a criminal officer from Glasgow to Manchester, took him away from his work in Manchester, carried him, without any endorsation on the warrant, across all the counties between Manchester and Glasgow, and brought him to trial; the trial lasted four or five hours, for two days, and the result there was, that there was proven distinctly that there was no contract, that he had fulfilled the rules of the work by giving the two weeks' notice, and that there was no other contract at all in existence. That case was allowed to drop without any judgment upon it at all, the man having committed no offence whatever, and without his being allowed any damages for the loss he had been put to in being brought from Manchester to Glasgow.

301. Before whom was that case tried?—In the Justice of the Peace Court in Glasgow, where all these cases are tried; I was present myself at the trial, and took the notes, and reported it fully in the "Sentinel." I may state that, when these cases do occur in Glasgow, as they always do every week, I am generally sent for by the parties interested to take a note of them, and to publish it in the newspaper. The bottle-glass trade has been spoken of by several gentlemen; I was waited upon by a deputation of that trade on Monday, they having heard that I had been summoned to give evidence here, and they requested me to state one or two cases which had occurred in their trade. The bottle makers are something similar to the flint glass makers (the man I have just referred to was a flint glass maker); the bottle makers are subject, of course, to similar conditions in regard to the metal. There is a copy of the rules which the deputation put into my hands, which are the general rules of all the bottle making establishments in Scotland, and it will be found by referring to them that the workmen for the merest trifles are fined by the employers 10*s*. I have here the particulars of the case of a man named Thomas Taylor, a glass bottle maker, aged between 50 and 60. A day's work is considered to be 43½ dozen of bottles; that is what is considered to be a day's work of 10 hours' labour per day, for which a certain price is given; and then they make what they call overwork, working on in the same shift in order to work up the metal, making so many more bottles, for which they are paid extra. This man, on the occasion referred to, had worked his day's work, the stipulated time and quantity, at the end of which he felt unable to continue the work any longer for that day, and he said to some of his companions connected with him in the manufacture, that he could not continue it any longer, and he went away. Another party was immediately got to fill his place, so that there was no loss to his companions. That man was fined 10*s*. by his employer for having absented himself.

302. That is a matter of private contract irrespective of the Act?—Yes, but he was taken up on a warrant for having deserted his service, for having broken his contract after having been fined, and sentenced to 30 days' hard labour.

303. That man was first punished in the works under the private agreement between him and his master, and subsequently before the justice, under the Act of the 4th Geo. 4?—Yes, so that he had a double punishment. In regard to factory workers it is no uncommon thing at all to find female factory workers taken up, under this Act, and sent to prison for a breach of contract; and a very strong case lately occurred in Glasgow, a case which has caused very considerable excitement among the labouring population in the eastern portions of the city of Glasgow. It was the case of a man named Alexander Gray, a power-loom tenter (the tenters take charge of the looms, and keep them in proper working order). He was a young man under indenture, and I believe his employer had given orders for him to go to some particular loom at the time he was engaged in looking after another loom, and he told him he would do so, according to the rule of the trade; that as those who had first spoken to him could get their looms attended to, he would very soon be at the other; and this caused dissatisfaction on the part of the employer. He continued to work out that week till the factory stopped; but that same Saturday night an application to the justice had been made by the manager or one of the partners of the concern, and a warrant got, and a criminal officer sent to his lodgings as late as 10 o'clock on Saturday night, he having continued to work till the factory closed that afternoon; and on the following Monday morning he was brought up and sent to prison. The result of his treatment in prison has been, in fact, matter of inquiry before Sir George Grey. I have here a very full and accurate report of all that has transpired in regard to his treatment. A deputation connected with the inquiry into this case called upon me before I came away, and put this document into my hand, in relation to that case: "Mechanics' Hall, Cannon-street, Calton, 14th May 1866. Statement of Alexander Gray, in reference to his treatment by his employers, from his return to their employment. Was sent to prison on the 8th of February; released on the 19th. Health bad. Returned as soon as health would permit.

permit. Commenced work on the 8th March; wrought up to the 23d. No complaints made. My work in a forward state. Called into the counting-house after the mill stopped, at six o'clock; told there was no further use for me; dismissed on the spot; no reason given. Went next morning; took two men with me to ascertain the reason of my dismissal; the men refused admittance; got throttled for my pains" (they caught him by the neck, and pushed him and kicked him out of the counting-house). "My conduct can and has been tested by several witnesses examined on the case before the sheriff for my engagement.—Alexander Gray, jun., 24, Green-street, Calton." Signed before two witnesses, "James King, 9, Dunn-street, Glasgow, and Henry Carrigan, 27, Man-street, Bridgeton." That exemplifies the treatment under the Act of the respective parties, the employer and the employed. This young man, even under written engagement, is thrust into prison before he absented himself; indeed, he did not absent himself at all, he never absented himself from his work; but, in anticipation that he would absent himself, a warrant was procured, and he was sent to prison.

304. You could give, no doubt, many more similar cases from your personal experience and knowledge?—Yes.

305. But, perhaps, you can tell us in what descriptions of employment the cases most frequently arise?—A great many cases used to arise in the ship-building yards.

306. Do you think it necessary to give more instances, or would you be satisfied with those instances which you have given as a sample?—Yes, those may be taken as a type of the treatment of the men under the Act.

307. Will you mention the trades in which those cases of proceedings, being taken for breach of contract, most frequently occur?—A great many cases used to arise amongst the bottle makers and amongst the iron ship builders, and, in fact, I might say, with some exceptions, in almost all the trades. Amongst the factory workers they used repeatedly to occur.

308. Among the engineers?—Yes, there used to be many cases among the engineers; but a very considerable improvement has taken place recently; when I say recently I mean in the last two or three years, in respect to contracts of service.

309. The following trades have been given to me as among those in which those cases occur:—brickmakers, glass workers, moulders in iron, iron workers, carpenters, and miners?—There are not so many cases arising among the carpenters; there are cases constantly occurring among the miners, and there used to be a great many cases among the iron moulders, and brickmakers, and factory workers.

310. By examining some of the gentlemen who attended the conference to which reference has been made, we should get, you think, at the views of the different trades in the best way?—Yes.

311. A focus of them, as it were?—Yes. Mr. Newton mentioned the trades of Sheffield as being represented at that conference; there were also the trades of Liverpool, and several of the large centres of industry.

312. You have heard Mr. Newton's evidence; do you generally agree with the tenor of his evidence?—Generally.

313. Do you agree as to the objections which he takes as to the inequality between master and servant?—Decidedly.

314. The apprehension by warrant instead of a summons, and the treatment of those cases by criminal instead of civil procedure; upon those points you agree with him?—Yes, the primary object of all who have moved in this matter is to put the employer and employed before the law exactly in the same condition, as far as that is possible.

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315. So far you agree with Mr. Newton; do you agree with him as to the persons by whom those cases should be tried?—Yes; there are objections to those cases being tried by justices, and I would prefer their being brought before some constituted legal authority, such as the sheriff or substitute in Scotland, or the county court judge in England.

316. Why do you wish for that change; is it a theoretical objection that you have to the existing state of things, or have you seen any practical evil result from the present administration of the law by the justices?—In the first place, many justices, although they are gentlemen who, no doubt, desire to do all the justice they can, are not sufficiently acquainted with the law to be enabled to come to a decision in a critical case which might occur; they are not posted up in law.

317. Is your objection merely the want of legal knowledge as to the different bearings of law upon these questions, or do you also object to partiality in the administration of the law?—I object on the two grounds, the want of knowledge of the law, and the tendency towards partiality in the administration of it on the part of the justices sitting in such cases.

318. When you say tendency to partiality, do you say that merely from a belief in class sympathies and feeling on their part, or from actual experience of partiality on their part?—I could not quote any special case.

319. You object because you believe that they will be influenced by class interests and feeling?—I will tell you how I come to that conclusion; for instance, when a factory worker, male or female, is taken before the justices, it is no uncommon thing to find a justice presiding who is actually in the same branch of business as the worker belongs to; that is quite a common occurrence, and the same with regard to other branches of trade.

320. You think that he would have too much fellow feeling with the prosecutor?—With what are considered to be the interests of his class.

321. You cannot speak to any failure of justice from that cause?—No.

322. So that it is really a theoretical objection on your part?—Yes; more than one founded upon any particular cases.

323. You have heard, in answer to similar objections raised by Mr. Newton, counter objections as to the delays which might ensue from the shifting of the jurisdiction; you must admit, I presume, that there might be such delays?—I do not see that there would be any delays in Glasgow.

324. But we are dealing with a question affecting the whole country?—There might possibly be delays in particular localities.

325. Setting the question of delay against that which is only a theoretical objection, because you were not able to cite any practical evil or any partial administration of the law as at present existing, would you consider it necessary to take the jurisdiction from the justices?—I would.

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326. Do you see your way to such a change as would do away with the objections of delay which have been raised before the Committee?—I can scarcely apprehend that any such delay would either be necessary or injurious.

327. But in the interests of both parties it is very desirable, is it not, that such cases should be dealt with as summarily as possible?—Yes.

328. And with no delay?—Yes.

329. If it were shown that from any reason there were difficulties in the way which would cause delay and prevent such cases being dealt with summarily, your opinion as to the advisability of the change of jurisdiction might probably be modified?—It might.

330. At present a commitment under this Act does not dissolve the contract?—It does not.

331. Have you known cases of men who have been convicted and imprisoned for a particular period, and who on refusing afterwards to complete their contract, have been re-imprisoned?—I have known cases of that kind, but I could not at present name them.

332. Mr. Newton referred to cases of workmen being seized and manacled; he told us that he was not aware of any such cases from his own personal experience; can you speak to any such cases?—I can. About 18 months ago probably, I was travelling from Ayrshire to Glasgow, and in the next compartment of the carriage in which I was, there were four young men, iron moulders, who were manacled together, a criminal officer being along with them; they had been brought all the way from Newcastle to Glasgow, for having, as was alleged by their employer, broken their contract; that I saw myself. I asked them what had placed them in that uncomfortable position, and they told me what I have stated. One of them, I think, was sent to prison, and the others agreed to return and fulfil their contract. In such cases where the men agree to return to their work, and the employer is willing to take them back, the men are always required to pay the expenses; so in that case, as in all cases where expenses are incurred in sending a distance for them, they have to pay their expenses.

333. You have stated your objections to the law, and the alterations generally which you wish; and so far you have expressed an agreement with what fell from Mr. Newton. Mr. Newton said that he thought that in cases where there were breaches of contract, and the workmen had no effects, imprisonment might be had resort to; do you agree in that?—Where workmen commit a breach of contract, if it does not involve a serious danger to life or property, as Mr. Newton stated, I do not see that there ought to be anything more than the treatment of it as a civil case; and my opinion is, that such cases as were hinted at by some of the Committee, would come under the common law for punishment. Where an employer obtains a civil decreet for the payment of a certain sum of money by a workman, the case is treated as an ordinary civil action of debt due by one man to another.

334. At common law in Scotland, if the debt is below the sum of 8 *l.* 6 *s.* 8 *d.* there is no imprisonment?—No.

335. The probability is, is it not, that where a workman has been condemned to pay a certain sum, the sum which he would be so condemned to pay would be below 8 *l.* 6 *s.* 8 *d.*?—I think that it would.

336. So that in that case practically there would be no imprisonment?—No.

337. Might it not be desirable in order to meet such a case that there should be, as Sheriff Barclay last year suggested, a power given to imprison; that there should be a power to deal exceptionally in such cases?—I would not deal exceptionally in such cases; it would be unfair and unjust to the workman to put him in a worse condition in such cases than a common debtor.

338. Do not you then think that you must look in this question, not only to justice to the workman who is affected, but to justice to the master whose property may be injuriously affected by a sudden breach of contract, and that you must also look to the effect which this one man's misconduct may have upon all his fellow workmen?—I am not aware of any case which I can quote to support that idea; I can imagine that an engine man at the top of a pit might leave his duty of attending to the engine, and might do injury to his employer and also his fellow workmen, but in such a case as that he would come under the common law.

339. You would confine the exceptional dealing with this question to cases such as were described by Mr. Newton, which would come under the head of imperilling life?—Under the head of imperilling life or destruction of property.

340. Direct destruction of property?—Yes.

341. But not to such destruction of property as might arise from a man leaving the furnace, or from the contents of the furnace being lost, or anything of that kind?—No.

342. You would not think it necessary to deal exceptionally with any of those cases?—No.

343. Do you think, taking your view of the case, your object being to put master and servant on an equality, that they would be practically in such a case, on an equality; assuming a workman engaged for a certain time to perform a certain delicate duty, upon which the success of the master's business depends, suddenly takes it into his head to leave; supposing he is a man without effects, without a house perhaps, and that he leaves Glasgow and goes to the other end of the kingdom, the master's property is destroyed, and his fellow workmen are thereby thrown out of employment, what redress has the master or the fellow workmen?—Only civil redress.

344. They have, theoretically, civil redress, but what, practically, does that amount to?—The taking the party before a civil tribunal.

345. Where is the party?—He may have absconded, but such cases occur but seldom.

346. Your course would be a summons against him?—Yes.

347. Would you go the length that Mr. Newton suggested, that, in case of his not appearing in answer to that summons, a warrant should be issued for his apprehension?—I do not go so far as that; I would treat the case throughout entirely as a civil case.

348. Supposing the man does not appear in answer to the summons, what redress would the master and his fellow workman have, the one having his property destroyed and the other being thrown out of employment?—They would only have the redress which the law would, in such cases, give them, of attaching the property of the individual.

349. I am supposing the case of a man having no property?—Then, they must go quits.

350. Taking the reverse case; supposing a wealthy master has a contract with his man, and the master breaks his contract, and supposing the man summons the master, and a decree is given in favour of the workman, what happens in that case?—The master would, very likely, have means to pay.

351. He would pay, and justice would be done to the workman; would you say, in strictness, those two cases are practically on an equality?—I have known cases where men, from the bankruptcy of the master, have lost their wages, so that, as regards that, the workmen are not on an equality with the master.

352. Supposing the master to become bankrupt, and that the sum he owed was above 8 *l.* 6 *s.* 8 *d.*, in that case he would be imprisoned?—Yes.

353. The man would have that hold upon the master who had broken his contract that, if the debt was above 8 *l.* 6 *s.* 8 *d.*, the man could imprison him?—No, doubt, and the same would happen with the man if the sum he was liable for was above 8 *l.* 6 *s.* 8 *d.*

354. Mr. *Hardy.*] Are you aware that by the Bankruptcy Act, the first thing to be done is to pay the wages of workmen?—I believe that is the case; it would be a very rare instance if a single workman had a claim for so much as 8 *l.* 6 *s.* 8 *d.* against an employer for wages; wages are generally paid weekly or fortnightly; in some few cases monthly, but those who are paid monthly are paid subsistence money during the course of the month.

355. *Chairman.*] You do not think, in justice—we will not say to the master alone, that being only a part of the question, but in justice to the other workmen, it would be desirable that some further powers should be given than those which you contemplate?—No; I do not. I look upon the question entirely as a matter of civil contract.

356. I assume that the case is treated as a civil case, and not a criminal case; but I put to you, whether, by extending the power of imprisonment in cases of debt, or rather by repealing that part of the law which prevents imprisonment for small debts, you would not give some further power, civilly, than you propose?—No, I would not.

357. You do not think that justice to the other workmen requires anything of the kind; and, so far, you differ from Mr. Newton?—Yes. I do not think any further imprisonment than the law now gives should be inflicted.

358. Which of the two witnesses we have had before us to-day, yourself or Mr. Newton, do you think in this respect expresses the opinion of those whom you represent?—If I can judge from the discussions we have had at our meetings on that point, among many others, the feeling was decidedly in favour of my views.

359. I understand that one of the main objections to the existing state of things which you seek to redress, and which the workmen feel, perhaps, more strongly than anything else, is the criminal character of the proceeding; that they are dealt with for a civil offence criminally; but that would not be the case with imprisonment such as I suggest, which would be imprisonment under a civil process?—I do not see the justice of making such an exception in regard to the common law of debtor and creditor, as to say to a workman, a decree has been obtained against you for 5 *l.*, and unless you are able to pay it you must go to prison.

360. But there would be nothing criminal attached to such a breach of contract in that case as at present, and the moral disgrace which appears to weigh very strongly upon the feelings of those men would not arise. Any grievance of that kind would be removed, would it not?—Suppose a man was liable for 5 *l.*, or any sum under the 8 *l.* 6 *s.* 8 *d.*, to put the workman into prison for non-payment of that, is throwing an odium upon him which it is not right to put upon him, more than an ordinary debtor.

361. If, in such cases, you put the two on an equality, and if a master who owed a workman a sum less than 8 *l.* 6 *s.* 8*d.* was likewise liable to be imprisoned, you would probably not object to it?—Yes, I would. I would object to send an employer to prison if he owed a sum less than 8 *l.* 6 *s.* 8 *d.*

362. You do not raise any objection on the ground of inequality, but you object to the principle of imprisonment for debt for any small sum?—My view of it is that the law in that respect, as it stands, should be adhered to in the case of both masters and servants, without any distinction.

363. Though, practically, from their different circumstances, there would be a very marked distinction?—If you talk of different circumstances, you must consider this; the master can now obtain by law a discharge of all his liabilities, probably for a penny in the pound, while the poor workman has no means of getting quit of his liabilities as long as he is able to work; the master can follow him from county to county and arrest his wages; he never can become bankrupt.

364. That power of the master to arrest the wages of the workman, is under the common law and not under statute?—Yes.

365. Do you object to that power?—Yes, I do; I am entirely opposed to the continued liability of the workman for past debts.

366. You object not only to the statute law, but to the common law, with regard to the arresting of wages?—Yes.

367. Mr. *Hardy.*] Suppose the court makes a decree that a man should pay by instalments, he has to go on paying till he has discharged his liability?—Yes.

368. But the master has no particular means of seizing his wages differently from any other part of his property, has he?—The common practice about Glasgow is this: if a decree is obtained against a workman for any amount, the sheriff or justice of the peace may say, You will pay this by a shilling or half-a-crown a week, and if he fails to do so, the common course is to obtain an arrestment, and put it into the hands of his employer.

369. *Chairman.*] Wherever he goes, you follow his wages?—Yes, that is the law and the practice.

370. Is it frequently done?—There are thousands of cases every year in Glasgow.

371. How is it done practically; supposing a man leaves his employment in Glasgow, and goes to work under a new employer in Edinburgh, does the master in Glasgow obtain an order which is forwarded to the master in Edinburgh, and then does the master in Edinburgh, before paying him his wages, deduct a certain sum, and pay it to his late employer?—Say that a workman

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man by a decree of the court, is ordered to pay 1 *l.*, a common creditor obtains from the court where he was found liable, a power of arrestment of wages; that is put into the hands of an officer, costing a small sum of money, which is added to his former responsibility, and that arrestment is put into the hands of the master in Edinburgh under whom he is working, directing him to arrest the wages of the man.

372. The whole of his wages?—Yes, to the amount decreed. If 1 *l.* is due to the man, the master says I cannot give you any wages to-night, here is an arrestment.

373. He does not pay him even a portion?—No, not without the order of the court.

374. It is at the discretion of the court to say; this is to be paid at once, or so much a week?—Yes; it is an every day occurrence in those courts, of multiplepoinding that the master refuses to pay him his wages, and another creditor has a second arrestment; and the question arises then, to whom do the wages belong which are in the hands of the master for whom he is working. And in an action of multiplepoinding all the parties are brought to court before the sheriff again; the case is re-heard and the master says, I had 1 *l.* or 10 *s.* in hand of this man's wages at the time the arrestment was made. The arrestment only affects the wages of the man up to the time it is laid in the hands of the master; anything which he earns after that, the arrestment does not cover.

375. Mr. *Hardy.*] A new one would be required to be obtained for the arrest of further wages?—Yes. The demoralizing effect of that system is melancholy, the men are hunted about from place to place, when they are unable to pay, and they actually change their names when they go to new places, so that when the arrestment comes, the employer says, There is no such man here.

376. *Chairman.*] In all these cases there must be necessarily a choice of evils; which do you consider the best of two evils, that a man with a family, with a house and furniture, and with perhaps some of the ornamental pottery which Mr. Newton spoke of as having seen in the houses of colliers, should be sold up completely, and rendered houseless without furniture; or that that man, instead of being so sold up, should be allowed to go elsewhere and re-engage himself, he being compelled to pay such portion of his wages, as the court or justices should decern, till the debt was paid off?—I quite concur in the advisability, in such cases, of making a man pay, to the extent of his means, what he has been proved to owe.

377. Assuming that he has to pay on one form or the other, which should you say, in the interest of the man himself, was the least severe form of making him pay, by selling him up entirely, or by arresting a certain portion of his wages and following him; take your own case, if you had the choice, which would you prefer yourself?—If the man has means to take, the master always prefers taking his effects if he knows how to get them; but there is a difficulty in getting at the man's pottery, chairs, and tables, in Scotland, which is probably not the case in England, the landlord of the house always has the right of hypothec, and unless he is secured in that right of hypothec no other creditor can come in.

378. That makes the case of the master still worse?—Of course it does.

379. The landlord comes in first?—Yes.

380. So that practically, as regards the masters, the common law of arrestment of wages is his best security for the payment of his debt and his hold over the workman?—No doubt.

381. That you would be disposed to do away with?—I would; because I hold that when the state of the law and the state of the parties is known to each other before they enter into any contract of that kind, both parties are in a condition to go into the arrangement, and no one is taken undue advantage of.

382. Upon this point the chairman and the secretary of the association are at two?—We cannot help these things, we go pretty well together.

383. With reference to minute engagements, is that system much adopted in different trades?—Yes; in the large engineering and ship building establishments in and round Glasgow, those contracts of service terminable at an hour's notice are found to work admirably.

384. Is that system in general operation?—It is in those large establishments the rule; there are exceptions, but taking them as a whole it is the rule, and no difficulty arises to the employer, because men are to be found, for every branch of the operations carried on, to fill up the situation within an hour which a man leaves.

385. Do you believe, from your knowledge of different trades, that that system would work in all trades?—Not in all. I mentioned glass making, that is a trade where the workmen are very much dependent upon the man working in one particular branch of it, so as to work out the metal. I cannot call to mind at this moment any other trade to which the same remark would apply.

386. In what trades is this system of hourly contract or minute contract in operation chiefly?—It is nearly universal in the building trades, the joiners, the house carpenters, the masons, the plasterers, and the plumbers.

387. In the ship building?—Yes.

388. Engineering?—Yes.

389. Is it in the iron building?—Yes; in that very case I referred to, the Hyde Park Foundry case, it was found after that case had been settled, which lasted between two and three years, that it would have been far better for both parties not to have any warning or notice at all, and that system has been in operation in that foundry now for 18 months.

390. In that case of the Hyde Park Foundry, which you cited as an instance of the evil effects of the operation of the Act, they have rendered recourse to the Act unnecessary since that time by adopting the system of minute contracts?—Yes.

391. Have any evil effects resulted from the adoption of that system?—No; it has worked satisfactorily to both parties.

392. Upon the whole, is that system gaining ground in trades generally?—Decidedly.

393. Mr. *Clive.*] Have you any experience of iron works?—Yes; a little.

394. Have you any experience of collieries?—Not practically, but I have had a great deal of intercourse and correspondence with colliers.

395. You would be willing that the man's present means should be resorted to for payment of what the man was held to be liable for, but you

you would not let his future means be resorted to?—Just so.

396. When once he had left the works, you would follow him no further?—I would follow him where he had means.

397. Supposing he had nothing but his labour, you would not follow his labour?—No; I would not follow his future labour.

398. Do you think that the fear of imprisonment deters a man from breaking his contract?—With some men it may, but I do not think, as a rule, that it does; men are generally inclined, I think, to fulfil their contracts, and it is not from fear that they fulfil them, but from the moral feeling that it is right to fulfil them; they say, "We have entered into a contract, and it is but right that we should complete it."

399. Do you not think that in many cases where they have to give a fortnight's notice the fear of being bound induces them to give notice, whereas if they were only working on minute contracts they might remain where they were at work?—I cannot speak as to that point; I do not think the fear of anything resulting from it tends very much to prevent men from breaking their contract.

400. You say you think it would be a better system to have no contract at all?—I do.

401. Do you not think that the men, if there were no contract at all, would be more quiet in their respective works?—I think it is very likely that they would.

402. The fact of being obliged to give a fortnight's notice tends to make them unquiet?—Yes.

403. Sir *James Fergusson.*] What was the cause of the strike of those men in the Hyde Park Works, of which you spoke?—Their refusal to continue to work at the night and day job.

404. Was not it a question of wages?—No, it was not a question of wages at all.

405. Supposing men to have entered into a contract, the fulfilment of which is necessary to enable the employer to fulfil a contract which he has undertaken, and they strike for an increase of wages, putting the employer to a loss, and perhaps other workmen in other branches to a loss also, from the consequent cessation of their employment; how would the common operation of the civil law correct that?—The law would not at all interfere with the matter.

406. I am supposing a civil process to be substituted for the present law; how would that master have a remedy if, in such case, there were no criminal procedure possible; how could the men be compelled to resume work so as to enable the master to fulfil his engagement?—He would have no power but to make an application to the court in the nature of a civil action; that is, supposing the law altered, as I think it ought to be.

407. And then, supposing any damages, in which the men were cast, to be borne by their trade association, might not the master and the rest of the workmen be left in a position of loss from the law being powerless to compel the men to resume work?—They might.

408. Do you regard that as a satisfactory state of things?—That might be an unsatisfactory state of things, but the question is whether the existing state of things is not worse.

409. You look upon the present law as so unjust in principle that you would be willing to expose persons to great possible loss, rather than that they should have their remedy by such an unjust law?—Yes; I think the losses would be much less than they are now.

410. Mr. *M'Lagan.*] With respect to the rules in the glass works to which you referred, were the workmen required to sign them?—No; they did not sign them; that sheet of rules is pasted on the wall, and the workmen are not at all bound to even read the rules, and the rules are not read to them, they are supposed to have read them.

411. They are understood to be working under those rules?—Yes.

412. They themselves understand that they are working under them?—Yes.

413. You mentioned the case of a workman in those glass works who left his work at the termination of his day's work before the metal was quite done. I find one of the rules is, "Any workmen absent from, or leaving off work, from drunkenness or neglect, or incapacitating himself by drinking while at work, shall be fined 10 *s.* for each journey he may so misconduct himself." Was it under that rule that he was fined 10 *s.*?—I believe it was under that rule; he had been at work for the day, and he was fined for not continuing.

414. He could not have been fined according to that rule unless for drunkenness, or neglect, or incapacitating himself by drinking, or absenting himself from work?—There was no other rule, as far as I know, under which he was fined.

415. Another rule says: "All workmen employed at these works, whether under written agreement or otherwise, shall work out the metal provided for them each journey, when required to do so by the employers or their manager"; but there is no fine attached to that rule?—At any rate, that is the statement given to me by three men from the work.

416. Is there any reason that you are aware of why such stringent rules should be put up regarding bottle works more than any other trade in the kingdom?—I cannot answer that question from practical experience, but I may tell you what the deputation said to me, on my putting a similar question to them. They said, "Our labour is so hard and so constant, and so overpowering by the heat and the hard work, that, were we not bound by the most stringent rules, we would not be inclined to continue so long." And they gave this fact also: that, within the last 12 months, or thereabouts, the quantity of metal prepared for them, and which they are required to work out at a journey, is at least one-fourth more than before; the pots have been increased to hold so much more metal, so that the workman is either obliged to work longer or harder to work out the metal.

417. Before the pots were increased, these rules were made?—Yes; and therefore it makes it still worse upon the workmen.

418. Were the workmen steadier at their work before the pots were increased in size?—I cannot say as to that.

419. Is not one reason of the stringency of those rules, that in the bottle trade the different classes of workmen are more dependent upon one another than in almost any other trade?—They are.

420. Consequently you may say that those rules are as much for the benefit of the industrious hard working workman as they are for the masters themselves?—There is no doubt if other

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men could not be got to do the work of those who absent themselves, the men would lose as well as the master, but I put that question specially to the men, and the answer was, there is seldom or ever a case where if a man absents himself, we cannot put in his place another man to do the work; for instance, in the case I quoted, a man was immediately got to take the place of the man who was disinclined to proceed with the work. It is seldom or ever that the workmen who remain are injured, or that the masters are injured, because even if a man could not be got to take the place of the man who leaves, those who remain to carry out the journey have only to do a little extra work, or work a little longer time to work out the metal.

421. Are you sure that there are so many men in the bottle works that a man can always be got to supply the place of one who leaves?—I am assured so as a general rule; there may be exceptional cases, but as a general rule, a sufficient number of hands can be got directly.

422. That is not the fact just now, is it?—I am speaking of what is represented to me as to the works about Glasgow.

423. With respect to the arrestment of wages, it is only a very small part of a workman's wages that can be arrested, is it not?—The whole of the wages, up to the time of the arrestment, are arrested to the extent of the decree, and cannot be disposed of till an arrangement is made as to the amount; and there is a certain sum which the judge or sheriff generally allows for subsistence, probably amounting to not more than 10 *s.* a week, or 12 *s.*, according to the position of the man.

424. Do you approve of such rules as these being hung up in works?—I certainly do not.

425. Do you not think that they may be for the benefit of the industrious workman?—In the case of rules being necessary for the benefit of the workmen, I think the men should be parties to the arrangement.

426. Do you know the character of the men who work in bottle works generally?—It is said that they like their beer pretty liberally. I have mixed with the bottle makers for a year or two past occasionally, and from what I have been able to observe, they are a very hard-working class of people; that they do drink a good deal is true, though there are some water drinkers among them also.

427. Do you find the water drinkers the best workers?—No, not the best workers; I do not think that drinking water constitutes a good worker.

428. Are not the bottle workers a class of men who change about very much from place to place?—I do not know that they are.

429. Have you ever heard any complaints from the respectable steady men, that they are very much inconvenienced from a certain class of men leaving the works and throwing them idle?—No, I have not heard that; an explanation of such a case as that was given to me by those men who called on me. They told me of a case where the man's friends came from England to see him; he wanted to go and spend the day with them; he was refused; he thereupon took leave, and the result was that he was taken up under the Act. He was first fined and then prosecuted.

430. Mr. *George.*] You mentioned a case where a man, in the presence of two witnesses, made a declaration of certain things, and that happened to him; was that a case of which you had any personal knowledge yourself?—I am thoroughly acquainted with the case.

431. Who is Alexander Gray?—A young man, a tenter.

432. Is he alive?—Yes.

433. Do I rightly understand you to say that you do not know anything of the facts of that case, except as you had them from him as detailed in that paper which you read?—I have heard them from him and the other parties to the transaction; but I have a personal knowledge of the facts of the case from hearing the case tried. As stated in that paper, when his employer throttled him he applied to the police for a summons against the master for assault; I was present in the police court when the case was called; two witnesses spoke positively to having seen the personal attack, while some others, who were all servants of the firm, said that they had heard high words, but they did not observe the kick that was charged.

434. However, the case as I understand you, though you read it from a written statement, came before the justices' court, and was inquired into there?—Yes.

435. You stated that there was no power upon the part of the justice to discharge a workman from his contract, if he thought it right and just to do so?—The question was in regard to the law, whether a man's being sent to prison for a violation of the law, according to the justices' decree, does not liberate him from his engagement. He is bound still to fulfil his contract when he comes out of prison.

436. Are you aware that if the magistrate sees fit to discharge the man from his contract, instead of sending him to prison, he may do that?—Yes.

437. I do not quite understand the view you take of this Act of Parliament. Would your desire be that there should be no jurisdiction, as between master and servant, but a civil one, under that Act of Parliament?—Yes.

438. And that the Act should be so altered as not to apply to anything in the nature of a misdemeanor, but merely to civil contracts between them?—Entirely.

439. If a misdemeanor or a crime were committed by a workman, do I understand you that you would leave that to the operation of the ordinary law?—Entirely.

440. Supposing a man commits an assault?—Then he comes under the common law.

441. You would leave everything of a criminal nature to be dealt with under the ordinary law? ——

442. Under this statutory law, you would simply settle the civil question between the workman and the master?—Entirely.

443. Would you extend it to cases where the act savours of a criminal offence, or where the consequences of a criminal offence must necessarily follow from the act done by the individual?—No; I think such cases would come under the common law for punishment.

444. Suppose the case of a man placed over the shaft of a mine neglecting his duty at the windlass and causing danger to individuals, and, perhaps, the watering of the mine, under what head would you class acts of that kind?—If from breach of contract, or inattention to duty, any result, such as you speak of, followed, then the result would bring the case under the common

mon law. If no such result followed, I hold that it should be treated in a civil point of view.

445. Supposing that it was an act that might by possibility have been followed by the destruction of every man in the pit, to say nothing of the total cessation of the work for days, would you consider that act not one which should be dealt with criminally, because no consequence happened to follow from it?—I can scarcely imagine a case such as you put.

446. Supposing such a case to happen?—We may suppose many strange things that are not likely to happen.

447. Do you consider that a thing not likely to happen; suppose, by the neglect of the man at the windlass, a number of men might have been precipitated to the bottom and killed, though they were warned in time and escaped, would you think that act of a man who had imperilled the lives of people was not deserving of punishment?—I think such a case would be deserving of punishment, but under the common law.

448. Not under a statute relating to masters and servants?—No; there are plenty of statutes to bring a party so offending before a criminal court. We have plenty of cases every session in Glasgow, of enginemen who neglect their duty, and who are punished severely.

449. Mr. *Algernon Egerton.*] You said that, in your opinion, there should be some means by which a workman, owing a sum of money to his master through having broken his contract, might be freed from that debt, and that his wages should not be attached; that is to say, as I understand you, some process by which the workman might make himself insolvent, and free himself from debt; have you any idea what legal process that would be?—Something similar to the bankruptcy law; that he should go through the court and declare himself insolvent, so that the workman should be placed on the same footing as the employer in respect to his means and substance.

450. Mr. *Potter.*] Do you mean that he should have the power of freeing himself from a fine by becoming a bankrupt?—It would not apply to the case of a fine, that is a consequence of a criminal offence; but a liability caused by a breach of contract should go into his schedule the same as a debt would go into any tradesman's account.

451. Though he himself had assented to the contract?—Yes.

452. Mr. *Algernon Egerton.*] Would you propose that the workman should be subjected to a certain term of imprisonment before he declared himself insolvent?—No; it would not be necessary. When an employer declares himself insolvent, he merely produces a schedule, and calls a meeting of his creditors, telling them that he cannot go on, and that they must put him through the Court.

453. If a man goes through the Court, he has to undergo a term of imprisonment?—There is nothing of the kind in Scotland. We are anxious that workmen should be placed in the same position as employers before the law, in regard to breaches of contract.

Tuesday, 29th May 1866.

MEMBERS PRESENT:

Mr. Clive.	Mr. George.
Mr. Dalglish.	Mr. Gathorne Hardy.
Mr. Algernon Egerton.	Mr. Jackson.
Lord Elcho.	Mr. M'Lagan.
Sir James Fergusson.	Mr. Edmund Potter.

LORD ELCHO, IN THE CHAIR.

Mr. ALEXANDER M'DONALD, called in; and Examined.

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454. *Chairman.*] WHAT is your business or profession?—I am Acting Agent for the Miners of Scotland, and President of the Miners' Association of England.

455. Does that association embrace Scotland also?—Yes; there is a separate Scotch association, acting under its own government, but it is amalgamated with the English one for certain general purposes.

456. What are the objects of the association of which you are chairman?—To get an improvement in the ventilation of mines, to procure a reduction of the hours of labour of the young, to endeavour to procure compensation in cases of any severe accident or injury; and further, one of the objects is to get an alteration of the present law of master and servant.

457. Have you yourself been employed in mines?—Yes; from eight years of age.

458. As a working miner?—Yes.

459. In what part of the country?—In Scotland, Lanarkshire chiefly, for about 16 years.

460. Is it true that whilst you were employed as a working miner in Lanarkshire, you attended the classes at the Glasgow University?—Yes.

461. The money which you made in the summer, you spent in class education in Glasgow in the winter?—Yes, for four summers.

462. You appear before this Committee on the part of this miners' association, of which you are president, to give evidence upon the law of master and servant?—Yes.

463. Have you had much experience yourself of the operation of that law?—Yes, a good deal.

464. Have you ever suffered from the law in your own person?—No.

465. But you have personal knowledge of cases occurring in mines in which you have been employed?—Yes; and also I have acquired experience of the operation of the law, from the position I now occupy, being often consulted in cases where personal hardship has been suffered, and being in the habit of attending courts, and observing the mode of procedure.

466. Do you speak generally, as to the operation of the law upon all trades, or more especially with reference to its operation in the business with which you yourself are principally conversant, namely, mining?—In reference to mines alone.

467. With reference to mines, will you state to the Committee your opinion upon the present state of the law?—It is unequal, and I think it is not productive of good either to the employed or to the employer. In the first place, it imposes a penalty of punishment, and no alternative, upon the workman, creating in the minds of workmen very great dissatisfaction, as there is no such penalty inflicted upon the employer. In the next place, it produces a very bad effect upon a workman, to be brought up and sent to prison. While many of his fellows look upon him as a martyr, he himself is generally degraded by the punishment that is inflicted upon him. He is sent to prison and sent to hard labour, whereas the employer, supposing he breaks his contract, is simply proceeded against by an action for damages in a civil court. Although those who sympathise with the workman look upon him in the light of a martyr to a bad law, it has a degrading effect upon the workman himself.

468. Your objection to the present law is, that while as regards the workman his breach of contract is punished criminally it is not so as regards the master, and in that respect you consider that there is not an equality?—Yes.

469. Is the law very often put in force?—It is not often put in force now, not so often in connection with mines as it was a few years ago, and for this reason a very large portion, indeed, all the larger and more important districts of Scotland, carry on their works without any contract of service, and consequently no men are sent to prison for breach of contract where such is the case.

470. By contract, do you mean written or verbal?—Either, it is all the same as regards the law; in the largest firms in Scotland there is no such thing as notice or warning existing.

They

They are being carried on without any notice whatever. The workman is at his work, and the manager or employer comes round, and says, "Clear up." If any raw material is left, it has to be worked out, and when that is done the workman goes. In the same way, if the workman feels dissatisfied, he says, "I leave;" and if he does not make all right on leaving there is a stoppage from his wages to make up the deficiency. The large colliery of Messrs. Merry & Cunningham, employing over 5,000 men, is so conducted. The entire of the large coalfields of Wishaw are so conducted. I will, if desired, put in a list of works conducted on that principle. There being no warning required in those works, there are no cases brought up for breach of contract. I can produce some of the most experienced managers in Scotland to say that the working of that system has been found to be most salutary, as I believe it to have been myself. The benefit of it consists in this: on the one hand the workman, while under the continual knowledge that an act of dereliction of duty on his part might lead to his instant dismissal, is circumspect in his actions, and he will not do anything that may lead to his dismissal; while, on the other hand, the employer derives a greater benefit than by giving the man warning, because the man, while he remained working after the warning, might do him a vast amount of injury.

471. We understand from what you say, that throughout a great portion of Scotland the system of service by contract does not exist, and that persons employed in the mines are employed on what has been called the system of minute contracts?—Yes.

472. How long has that system been in force?—For 10 or 12 years.

473. Do you know where it first commenced?—I think it was in the Spital Colliery, in the Glasgow district.

474. Previous to that time the contracts had been fortnightly?—Yes; I remember when they were 12 months' contracts.

475. Were 12 months' contracts the custom or the exception at that time?—The custom.

476. How long ago was that?—Twenty-seven years ago.

477. Before you began to work in the mines?—Yes; they were in existence when I began to work in the mines.

478. So that when you began to work in the mines 29 years ago, the rule was contracts for 12 months?—That was generally the rule.

479. How were wages then paid?—In some instances every three months; where my father was working, the wages were paid every three months.

480. In full?—No, not in full, because the men were compelled to take all their goods at the store, on the truck system.

481. At that time, this Act was in operation?—Yes.

482. Were there many prosecutions then under it?—Yes, there were a great many.

483. More than at a later period, proportionately to those employed?—Yes; generally the prosecutions were in a public-house; the justices met in a public-house near the colliery.

484. You have said that there a change took place from 12 months' contracts to fortnightly contracts, a sort of intermediate station between the system of 12 months' contracts and the system of minute contracts. What led to that change from 12 months' contracts to fortnightly contracts; was it a change initiated by the masters, or was it introduced at the request of the men?—It was a change introduced at the request of the men. When I was a boy, I do not think one out of every twenty of the miners could read or write; it was a rare thing to see a boy that could read and write, or a man who could read or write. But when education began to spread amongst them, they began to kick against the system of 12 months' engagements, because it led to very dissolute habits. The men having large sums of money coming to them at the end of the long periods, they generally continued rioting and drinking till the money was spent; and the more intelligent of them felt ashamed of that, and became desirous that contracts should be for shorter periods; concurrently with that feeling arising among the workmen, Lord Ashley began to make inquiries into the condition of the men, and to bring forward measures in Parliament for the improvement of their condition, contributing to that change taking place.

485. There has been no change in the law since?—No, the change has been in the feeling of workmen and employers.

486. The change originated on the part of the men, who objected to bind themselves for so long a period?—Yes.

487. For what periods did they bind themselves subsequently to that?—Fourteen days.

488. A change was at once made from 12 months to 14 days?—Yes, and to a month; and I think, in one or two instances, that system still continues, but in only one or two instances.

489. The change was introduced from 12 months to a month or a fortnight?—Yes; to a month generally.

490. Were you yourself ever bound for 12 months?—No, but with my father I was.

491. But you have been bound for a month or a fortnight?—Yes.

492. With this change in the period for which service was entered into, there would, I presume, necessarily be a change in the mode of payment of wages. Were the wages paid by the month or the week, when the engagement was for a month?—The wages were paid by the month; and the wages, when the engagement came to be a fortnightly engagement, were generally paid by the fortnight also; but at the present moment a large number of works where the system of day contracts prevails, pay by the month.

493. With this change in the custom of service, I understand you to say that prosecutions instead of increasing have diminished?—Yes; taking into consideration the number of hands employed relatively to the population.

494. You say, that whereas only one miner in every 20 could read and write some 27 years ago, there has been recently a great improvement?—Yes.

495. What proportion of the miners of Scotland should you say could now read and write?—Sixteen out of every 20, if not 18 out of 20, have learned to read, or are learning to read.

496. That, I presume, is the result not so much of the change in the custom of service as of the restrictions as to the time of service of children, and the age at which children can serve, and the limitation of the hours of labour?—Yes; there has been a continual effort for the last 20 years

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years on the part of the workmen to get education.

497. You have stated that this system of minute contracts prevails in Scotland to a considerable extent; is it confined to any one district of Scotland?—Throughout Lanarkshire the system of fortnightly contracts is the exception; I could, if desired, hand in the names of the collieries working under that system; the mining population of Scotland would be about 35,000, and, so far as I can approximate, those employed under minute or day contracts would be at least 25,000, or probably 27,000; that system has been adopted in the greater portion of Mid-Lothian within the last few months.

498. You stated that the Spital Colliery in the Glasgow district was the first colliery which introduced the system of day contracts; how many years ago was that?—Fourteen years ago, I think.

499. Is that system spreading rapidly?—Yes, in Mid-Lothian, where formerly fortnightly contracts prevailed, they have, within the last few months, adopted the system of day contracts in the larger collieries.

500. So that this system introduced 14 years ago has been steadily progressing, and, as far as you know, is likely to progress?—Yes.

501. Have you ever known an instance of any mine-owner or lessee who had adopted the system of minute or day contracts, reverting to the former system of fortnightly or monthly contracts?—The men would not submit to monthly contracts now.

502. Wherever the system of day contracts has been introduced, there has been no departure from that system?—I think there is one instance where it was attempted; but I cannot call it to mind at this moment; that is the only instance I know.

503. Your impression is, that the system of minute or day contracts will become universal?—My impression is that it will become universal.

504. Why do you think it will become universal?—Because I think it is better adapted for carrying on the mines than any other system; it is better for the master, and better for the workman.

505. This change which you say has been gradually introduced, and which is spreading rapidly, originated you say on the part of the men; has it been resisted on the part of the masters?—I do not wish to be understood in saying that the change to day-warnings originated on the part of the men; it was the desire for education, and the improvement of the social condition of the men, which led them to appreciate the change; but the change originated on the part of the manager, I think, of the Spital Colliery, and I believe it is now adopted by employers generally in Lanarkshire, it not being resisted by the men, but on the contrary preferred by them to the old system.

506. We understand that this system of short contracts, which has now come to day contracts, originated with the masters, and was adopted by the men, and was not forced upon the masters by strikes or any means of that kind?—No.

507. The trades unions not endeavouring to force that system upon masters who had not hitherto adopted it?—That is so; but there is one work in Scotland not connected with any trades union, which is now out on strike, and the object of that work is to get the system of contract reduced to day contracts.

508. That is a strike against the old system?—Yes.

509. What work is that?—The Rose Hall in Lanarkshire, the firm of Miller and Eddie.

510. Are the works adjoining carried on on the more modern system?—It is surrounded by the Summerleigh Works, the Monklands Iron and Steel Works, the Dundwan Works, and the Calder Iron Works, all of which works are conducted upon the day system; and, I think, with that solitary exception, all the works for about ten miles are conducted upon that principle.

511. You say that this system was introduced by the masters, and that it has not been forced upon them by the men; that assumes that it is a system which has been found to work beneficially to the masters; you believe that that is the case?—I feel convinced that it is the case.

512. That being so, is there anything special in the working of that particular colliery, as compared with all the other works surrounding it which are conducted on a different system?—No.

513. What has led to the masters in that particular work not adopting the system which you say has been found to be beneficial to the masters, as a whole?—There is nothing special in that particular work; it is only from the masters being wedded to the old customs and usages of the country, because in the several coal fields, where they have adopted the principle of day contracts, all the exigencies of the coal trade are met, so that what would work well in one case would work equally well in the other. The Glasgow coal field, for instance, is a sale coal field (*i.e.* where coal is sold to the public), so that every exigency in the selling of coal by contract is met there; and the Wishaw coal field again is a sale coal field, and every exigency that can come upon them in the way of contracts with the consumer is met there. In Ayrshire, also, there are sale coal fields, where coal is also sold to the public. In Lanarkshire and Ayrshire, where the large iron works are, where they are not sale coal fields, but where the coal is consumed by the owners at their furnaces, they are conducting the works on the system of day contracts. Whether as regards sale coal fields, or coal fields where the owner himself consumes the coal, the exigencies of the whole trade are met in those districts. So that there can be no difficulty arising to any other coal master that is not surmounted there.

514. Is the coal field a sale coal field in which the colliery of Messrs. Miller and Eddie, who has not adopted the system of day contracts, is situate?—Yes. In the larger coal fields of Ayrshire and Lanarkshire there are large and small collieries which are sale collieries, so that whatever exigencies would arise in a district where they have not adopted the system must have arisen in others where they have adopted it.

515. Have you known many cases arising under this sytem of contract by the day or minute, where men in the mines in responsible positions, have suddenly gone away and left their work without warning, entailing thereby loss upon the master and injury upon the other workmen?—I have not known a single case where the mere departure of a man from his work

work has led to any inconvenience, or at least no case has ever been brought under my notice where a mere departure from work has led to inconvenience or loss to the employer.

516. You say there has been no loss; might not cases arise where a man who was in a very responsible position in a mine might, by leaving, cause the master to suffer and his fellow workmen also?—That again is provided for by the Mines Inspection Statutes (1855 and 1860). Under those statutes, there is permission given to the owners of mines to frame what are called special rules. Those are the special rules framed under those statutes (*handing them in.*—Vide *Appendix*). Under those special rules, the duty of the miner is defined while at his work; the duty of the fireman is defined while at his work; the duty of the engine keeper is defined while at his work; and the overman's duty is defined while at his work; and under those special rules there is power given to the magistrate to send offenders for two calendar months to prison, or to inflict a penalty of 2 *l.* So that those special rules are framed to meet every exigency that might arise in regard to any dereliction of duty on the part of the workmen or anybody connected with the management of the mines.

517. Are they special rules framed by each colliery, or are they general rules drawn up for the guidance of a number of different collieries?—They are framed by the inspector, with the consent of the Home Secretary, and they are virtually statute law.

518. So that any owner of a colliery draws up certain rules and regulations for the government of his own works, and before they become law they receive the sanction of the Secretary of State?—

519. After that they become statutory enactments?—Yes.

520. And under those rules any workman who does not fulfil the conditions of those rules is liable to prosecution and imprisonment?—Yes. The power given to the magistrate is different to that under the 24 George 4, as regards contracts between master and servant, where the magistrate can only inflict the punishment of imprisonment with hard labour; there is power given to the magistrate to send to prison, or to impose a fine.

521. And those special rules meet all the cases where a workman might, by suddenly leaving his work, either cause danger to life, or loss of property?—I think so; they are framed to regulate the conduct of the whole of the workmen engaged in the work; the engine-keeper, the pit-head man, the banksman or fireman, the overman, the redsman, the engine-tenter, and the miner.

522. So that your belief is, from the experience you have had of the working of the system of minute contracts in mines in Scotland, the present law is unnecessary for the protection of the master?—That is my belief, founded on an extensive experience and knowledge, and also on communications which I have had with the largest managers in the country.

523. And you think that whatever protection the master or the workmen require, either as regards life or property in the mines, can be sufficiently given under the system of minute contracts by these rules and regulations which you have put in, adopted under 18 & 19 Vict. c. 108, which rules and regulations receive the sanction of the Secretary of State?—Yes; that is my view.

524. These rules, as I gather from your evidence, apply whether there are contracts or not?—Yes.

525. What changes do you propose in the law of contract?—I would make it a civil contract entirely; I speak in reference to mines alone.

526. You think there is no necessity for any exception?—No; if any case arose in which it might be suggested that an exception should be made, such as the desertion of an engine-keeper causing injury either to his fellow workmen or to his employer, that would be a matter that could be dealt with at common law, and treated criminally, and I believe there are a large number of instances of such cases having been so treated.

527. Supposing in the case of a breach of contract, the change which you propose were to be adopted, and a breach of contract on the part of a servant were to be no longer treated criminally, would you allow imprisonment in the event of his being unable to pay any fine that might be imposed upon him?—Yes, if the fine amounted to such a sum as to render him liable to imprisonment according to the laws of the country.

528. It would then be civil imprisonment, and no longer imprisonment for a criminal offence?—Yes; what I object to is placing the man in the felon's cell.

529. You would have no objection, in the event of judgment being given for a breach of contract against a workman, that he should be imprisoned if unable to pay?—Certainly not.

530. It has been suggested that there should be a power of arresting wages, would you approve of that?—It exists in Scotland, by the common law.

531. Should you think it desirable, where that power does not exist by the common law, that such a statutory power should be given?—I object to the arrestment of wages altogether. I would not object to it in the special case of a claim of a master against a workman, but the law of arrestment of wages is a law which has a very pernicious effect upon the habits of the people.

532. In Scotland you say it exists at common law, is it frequently exercised?—Very frequently exercised.

533. On what ground do you object to it?—On this ground; the workman gets into debt, or his wife gets into debt for him, and before he may know it he is summoned, and not only summoned but an arrestment is taken out, and the man is hunted through life and becomes an outcast. The law of arrestment, so far as I have seen its operation, has a very pernicious effect upon the habits of the population.

534. This power of arrestment of wages in Scotland, which you say is very often exercised, is had recourse to, is it not, more frequently by the creditors of workmen than by masters for any fine for breach of contract?—I have only known of one instance of an employer taking his workman into court and exacting compensation. That employer is opposed to the principle of the law as it now exists; but he thought the workman did him an injury in his contract, and he took him into court and obtained civil damages from him to the extent of 1 *l.* 2 *s.* 6 *d.*, and made him pay it.

535. Did

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535. Did I rightly understand you to say that in the event of any change of the law you would be in favor of a statutory enactment, giving the master power where a workman was fined for breach of contract and could not pay the fine, to arrest and follow his wages?—Yes, I would continue the power of arrestment of wages in cases between master and servant.

536. You would make statutory what is the common law in Scotland, with regard to arresting wages for breach of contract?—Yes, abolishing it as between creditor and debtor; but allowing the employer that power of recovery.

537. That you think would be generally accepted by the workmen as a satisfactory solution of the difficulty?—Yes; I think so.

538. We have had in evidence before us complaints of the nature of the jurisdiction in these cases. Objection has been taken to cases of this kind being taken before the justices; what is your opinion upon that point?—My opinion is that no question between master and servant should be brought before the justices; that opinion is founded upon experience gained by attending courts frequently, and hearing the judgment of the justices.

539. Does your objection go to their judgments being partial, or to their not being sufficiently founded upon the law?—To their incompetence, from their position, to give a sound judgment.

540. Is it to the administration of the law in Lanarkshire that you specially object, or does your objection apply to its administration in other counties?—I only speak to Lanarkshire.

541. The objection you have is not to the system generally, but an objection applying to Lanarkshire only?—I cannot speak to any other district. I have very often seen the justice and the prosecutor go into the ale-house together, and sit down and hold a confabulation together for half-an-hour, and then go into court, where the individual has been brought up and tried, and then as soon as the trial has been over, I have seen them return to the inn or ale-house.

542. Though you may object to the justice and the master meeting in the ale-house and discussing the question, do you think that any injustice has been done in the trial on the evidence?—Yes; I am certain of it.

543. Then your objection is a double objection; you object to the individuals who are appointed to be justices, and you object to the way in which they administer the law, as showing partiality on their part and ignorance of the law?—Yes; so far as Lanarkshire is concerned.

544. Have you any substitute to propose?—I would commit all cases between master and workmen to the sheriff or sheriff substitute of the district.

545. That might occasion delay in some cases, might it not?—No; if it were a civil case it could be dealt with within a week. Our courts sit weekly. Then, where the party is brought up under the Mines Inspection Act, he is brought up by the fiscal, and he could be brought up in an hour or a day.

546. You say that the sheriff sits weekly; in any change which you contemplate, there would be no power of arresting by warrant at once; you would have the man summoned to appear before the sheriff?—Yes.

547. Seeing that it would be desirable tha those cases of breach of contract should be adjudicated upon at once, and that a man should be punished at once or let off at once, if the sheriff sits only once a week, as you say he does, in civil cases, there would be a needless delay in that case, would there not?—In a criminal case he sits at any time the fiscal may call upon him to sit.

548. You are assuming that what is now treated as a criminal case should be treated merely as a civil case; would it not be desirable that those cases should be summarily dealt with?—There might be a power given to the sheriff to deal with them at once.

549. You do not think the objection on account of delay sufficient to counterweigh your other objection to the jurisdiction?—No.

550. Is there any strong feeling on the part of the miners that the system as regards jurisdiction ought to be changed?—A very strong feeling, which is manifested by the fact that there are petitions from miners in almost every district of Scotland in the hands of various Members asking for a change of jurisdiction, or a diminution of the power of the justices.

551. Are those petitions with reference to this law which we are now discussing?—Not bearing upon this law particularly, but relating to the jurisdiction of the justices under the Summary Procedure Act.

552. Are those petitions in favour of the abolition of the jurisdiction of the justices altogether?—No; but asking for a limitation of their jurisdiction. There are justices who, from their conduct and from their bearing, merit the respect of the working classes; but the justices who are now administering the law in the large coal fields of Lanarkshire are looked upon with utter contempt. They are only well-to-do grocers, retired publicans, or colliery viewers of 100 men or so; and the men well know that whatever is the sentiment of the employer with regard to them will be carried out by such men. Those are the men who are administering the law, and making the entire jurisdiction of the justices contemptible.

553. Can you speak at all as to the state of feeling in the mines in England with reference to the law?—The same feeling exists among the miners of England in reference to having all those cases tried before stipendiary magistrates.

554. Do you believe that generally the views you have expressed as being held upon this question by the miners of Scotland are held by the miners in England?—Yes, but I wish it to be distinctly understood that what I have been saying in reference to the appointment of justices is applicable more especially to Lanarkshire. I do not embrace in what I said the counties of Mid-Lothian, Linlithgow, Fife, Clackmannan, or Ayrshire. I speak of Lanarkshire, which is the great coal and iron field of Scotland.

555. Then your objection is more to the individuals than to the system?—It is to the individuals in Lanarkshire.

556. So

556. So far as you are aware, do the same complaints arise and does the same feeling of opposition to the jurisdiction of the magistrates exist in other parts of Scotland?—There is a strong feeling existing in other parts of Scotland that the justices should have nothing to do with questions between master and servant; that feeling is common to the miners of Scotland and the miners of England.

557. It is a general feeling, but you think there is less ground for it in other parts of Scotland than in Lanarkshire?—Yes, because there the justices are the managers, the publicans, the grocers, and the doctors to the works.

558. Mr. *Potter.*] Probably nobody else can be got in those districts to act as magistrates?—There are a large number not connected with the coal fields, but they would not march through Coventry with such a ragged regiment.

559. *Chairman.*] What member of your association could speak more particularly as to the state of feeling upon those questions to which you have referred amongst the miners in England?—John Normansall, of South Yorkshire, acting secretary for the miners of South Yorkshire, and also Mr. Picard of Wigan.

560. To revert to the question of arrestment of wages, in the case of a fine for breach of contract, do you think that it would be preferable, in the interests of the workman, that the master should have the power of following his wages for breach of contract, to his selling him up and rouping his furniture and his effects for the purpose of paying the fine?—As I understand the law of England now, if a man does not pay he can be proceeded against for contumacy at once; I would have what I understand to be the common law of England applied to him.

561. As a general principle should you say, in the interests of the workman himself, it would be better that the master should follow his wages than sell him out of his house and furniture?—Certainly.

562. You are in favour of the abolition of the contract system entirely, as regards miners?—Yes.

563. You believe that there is no occasion for any law to regulate contracts between master and servant; the powers given under the Mines Inspection Act being, you think, sufficient?—I think there is no other power necessary; the system of no contract works sufficiently well.

564. But where the system of contract still continues to exist, you think that it would be expedient that the law should be changed?—Yes.

565. So, that which is now a criminal offence should be made a civil offence, that is to say, that in the event of a breach of contract by a servant, and judgment being given against him, he should be fined, if needs be, and that if unable to pay the fine, he should be imprisoned, or that his wages should be arrested and followed?—Yes, that is what I should propose.

566. And you believe that such a state of the law would give, as regards mines, ample protection to the master, whether under a system of contract or not?—Yes; I feel convinced that it would give ample protection, and I speak from experience of the practice in our mines.

567. You feel confident that the system of minute contract will become universal, or nearly so, in Scotland?—I feel perfectly confident of that.

568. Do you know if that system has taken root at all in England?—I know that in one very large colliery in Lancashire they have adopted it, and I am convinced that employers generally will see the utility of adopting it.

569. If found to work so well, and so beneficially to all concerned in Scotland, how do you account, with the intercommunication which there is between the two countries, for this system not having been adopted in England, where the same law prevails?—It is on account of the prejudices that exist on the part of the employers, who have not had before them perhaps the beneficial effects of the adoption of the system.

570. How long has this system been introduced into this colliery in England to which you refer?—I could not say.

571. One may say that, generally speaking, that system does not prevail in England which prevails and works so well in Scotland?—There may be other instances in England than the one to which I referred; but I did not make myself acquainted with the state of things in the English coal fields, knowing that witnesses would be examined specially with regard to them. In the north of England I know that 12 months' contracts are still in existence.

572. Is that system general or exceptional?—In Durham it is general.

573. So that, as regards Durham, master and servant are on the footing on which they were 27 years ago?—Yes.

574. Are you aware whether prosecutions in the county of Durham are more or less frequent than they are in other places, where the contract is for less than 12 months?—No, I am not aware of the comparative number of prosecutions.

575. Do you know how wages are paid in Durham?—Weekly, though the contract is for 12 months.

576. Are contracts in England generally monthly, or fortnightly, or weekly?—Fortnightly, and weekly, and monthly, and in the case of Durham for 12 months.

577. Is there anything peculiar in Durham that renders it necessary that there should be contracts by the year instead of by the month or week?—No; there are a number of collieries in Durham where the contract is by the fortnight. I cannot say whether there are any by the week or not; but I know there are some where the contract is fortnightly.

578. Mr. *Potter.*] Are there any carried on under minute contracts?—I am not aware.

579. *Chairman.*] You said that you only knew of one work in England carried on under the minute system, viz., one in Lancashire?—I know of one in Lancashire, but I think there are more; I can only speak to one.

580. Are there any co-operative collieries in Scotland?—None.

581. Sir *James Fergusson.*] The maintenance of a contract system, to a certain extent, protects the lower class of workmen, who depend upon others, does it not. Supposing miners are under contract to a master, it is, to a certain extent, a protection to the labourers who work under the miners against being thrown out of employment suddenly, is it not?—The labourers and the miners are all under the same term.

582. The labourers, I understand, depend upon the miners?—And the miners depend upon the

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the labourers. The labourers and the miners are under the same terms of agreement, and the miner would be equally liable to be thrown out of employment by the labourers going away as the labourer would be by the miner going away.

583. It is much easier to supply labourers than miners, is it not?—Not at the present time.

584. You have known instances, have you not, of an extensive strike among miners, and a number of labourers being in consequence thrown into great distress?—Yes.

585. And not being members of a union, they would receive no assistance from any union?—The labourers have a union of their own, in a number of instances.

586. But not generally?—No.

587. In such a case the existence of a longer contract between the miner and the employer would be a protection to the labourer, would it not?—Only to the extent of the fortnight.

588. That fortnight might make a difference, might it not, in enabling the master to supply himself w th fresh workmen?—The men prefer the short contract, and they seem to be under no disadvantage where it is adopted; it has this advantage that if a severe crisis occurs, it enables an adjustment of wages to be made at once; and, moreover, in the general carrying on of mining, to continue for a fortnight is sometimes a hardship to the workman, and also at other times a loss to the employer, in this way; a change may take place in the strata, the consequence of which may be that the workman would, if he continued to work on it for the remainder of the fortnight, not gain half the amount which he anticipated. On the other hand, a change might take place, which might lead the workman to get double the amount owing to the change in the strata, and consequently the short notice is advantageous to the workman, enabling him to throw up his contract; and the short notice is also advantageous to the employer, because he can change the contract with the workmen.

589. Do you think that the prevalence of strikes is in any way affected by the change in the system of contract?—I think not.

590. Those rules which you have put in have reference, have they not, to the mutual safety of the men employed in the mines, rather than to any contract relations between them and their employer?—Yes, they are for the mutual safety of the men.

591. Mr. *M'Lagan.*] Are rules similar to those which you have put in adopted in all collieries?—Similar rules are obliged to be adopted over the entire of the coal and iron fields, where they are under the Inspection Act.

592. As I understand from the evidence you have given, you wish to see master and servant put exactly in the same position, so that if the servant breaks his contract, he should be prosecuted civilly only; and I think you stated that you had no objection if he could not pay the civil damages awarded against him, that he should be imprisoned for debt?—No; I have no objection to that.

593. But you are aware that by the common law of Scotland you cannot imprison a man for a debt under 8 *l.* 6 *s.* 8 *d.*?—Yes.

594. Supposing a servant owed less than that, would you be inclined to make any change in the law for imprisonment for debt, so as to render him liable to imprisonment for a sum less than 8 *l.* 6 *s.* 8 *d.*?—I would assimilate it to the law of England, so far as contumacy of court for non-payment went.

595. You would imprison him, irrespective of the sum he might owe; if he owed less than 8 *l.* 6 *s.* 8 *d.* you would have him imprisoned?—I would so far assimilate the law of Scotland to the law of England, that I would hold it to be contumacy of court if he was unable to pay, but with this difference, that he should be treated simply as a debtor, and not as a felon.

596–8. In the case of arrestment of wages, you would allow the master to follow the servant to any part of the kingdom to which he might go?—Yes; he has that power now at common law.

599. I think you stated that, while you would allow a workman's wages to be arrested by a master for a breach of contract, you objected to his wages being arrested by a common creditor?—So long as the system of credit exists, I do not know that I would object to it; but I think the whole system of credit to working men objectionable, leading to improvidence, dissipation, crime, and poverty.

600. Then you object to the common creditor having the power of arrestment, on the ground that workmen would be induced to become more provident if that power were taken away?—Yes; the facility with which workmen can get into debt, both from common creditors and the truck shops, has led to a deterioration of the moral habits of the people.

601. You do not approve of a workman's furniture being seized and rouped for breach of contract?—No.

602. The only hold which you would give the master would be the man's wages?—Yes; when a workman is left without his furniture, he is a wreck in the world.

603–17. In Scotland, the power of a master to seize his workman's furniture does not amount to much, I suppose, inasmuch as the law of hypothec gives the landlord the first claim on the furniture for the rent?—Yes.

618–22. Mr. *Potter.*] Are Messrs. Bairds' works under the minute system?—A number of them; some few of them may not be, but a large number of them are.

623. *Chairman.*] You spoke with confidence as to the extension of the minute system, and you stated at the same time that there was a strike upon that question going on at present; am I to understand from you that it is under the influence of strikes that you expect that system to be extended?—No.

624. I ask you, is it rather under the influence of trades unions, in point of fact, that you expect that extension to go on?—There is no trade union where that strike is going on.

625. There is no influence of the trade union?—Not at all.

626. It is merely the men at those particular works?—The men at the particular colliery; but we have had instances under the influence of trades unions where they have struck for that.

627. The trades unions then, in point of fact, have promoted a strike for the purpose of enforcing the minute system?—They have in one or two instances, I think; but the system was inaugurated by the employers, and the development of it has been carried on by the employers.

628. And the trades union, to a certain extent have

have endeavoured to force the system as well?—Yes; believing its effects to be beneficial.

629–86. Beneficial to the men, of course?—Yes.

687. *Chairman.*] Are you aware whether the system of minute, which would perhaps be more intelligibly called hourly or day contract, prevails in other great works besides mines?—I have been made aware that it does.

688. In what works?—In the iron-moulders; Mr. Steele, who is here, will speak to that.

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Mr. Colin Steele, called in; and Examined.

689. *Chairman.*] What is your business?—I am Secretary for the Scottish Iron Moulders' Association.

690. What is that association?—It is got up for the purpose of defending the rights of the men; a trade union.

691. And that trade union has turned its attention to this question of master and servant?—Yes.

692. Have you yourself been a working moulder?—I was a working moulder for some 18 or 20 years.

693. Have you personally had experience of the working of this Act?—We had one particular case; it occurred in the month of December 1862.

694. What was that case?—It was the case of one Peter Stewart, in Hyde-park.

695. You mean the Hyde-park Works?—Yes.

696. They are in Glasgow, are they not?—In Finniston-street, Glasgow.

697. That was a case of breach of contract?—Just so.

698. Was the man imprisoned?—He went to his work on the morning, I think, of the 7th of December, intending to start; he had been ordered at night to complete a job, and the man appeared to think he had wrought long enough; he left his work at night, and went in the morning, and asked to commence to work, and he was not allowed; I think it was on the 9th of December, two days after that, he was taken out of his bed between three and four o'clock in the morning, and taken to the office of a Messenger-at-Arms, and by one o'clock he was taken to the Justice of Peace Court, and tried there. The case, however, did not go on then, in consequence of the society lodging 5 *l.* as bail; but it came on the next court day, and after a hard struggle he was liberated.

699. Was he imprisoned?—No; he was liberated; there was then a long trial; it lasted about three years, for the men's wages, the ultimatum of which was, that the employers had to pay their share of the expenses, and he had to pay his; at least, the men did, for there were other men concerned besides him; and the men go the wages for the time wrought previous to the date of their leaving.

700. Is that the only case that has come within your experience?—That is the only case with which we had any particular connection; a good many cases have occurred with apprentices.

701. We are not dealing with apprentices now, but with master and servant; from your experience of 20 years in your own trade you can only specify this one case?—That is the only particular case in our own trade that has occurred; the minute's warnings now are generally introduced, and that, of course, to some extent, annuls the law altogether.

702. You say you have only had experience of this one particular case, and you attribute this absence of prosecutions to a change in the system of contracts; what was the system of contracts formerly in your trade; was it a contract by the year, by the month, or by the week?—By the fortnight; in some cases there is a fortnight's warning, and in others weekly warnings.

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703. You speak of what you term the minute contract as having been introduced; has the introduction of this new system been recent?—I think it has been in operation in a good many of the shops in Glasgow as long as ever I have been in connection with the trade.

704. The minute contracts have been in operation for 18 years?—Yes.

705. Then you attribute the absence of prosecutions naturally to the operation of a system where they could not exist?—I cannot see any other reason for it.

706. Is this system of minute contracts universal in your trade, or is it confined to Glasgow, or still further confined to the work on which you are employed?—I think I am justified in saying it is almost universal throughout the whole of Scotland.

707. In iron moulding?—Yes.

708. You cannot speak as to England, but only as to Scotland?—Only as to Scotland; in Glasgow it is almost universal; I do not know that there are more than two instances where it is not the rule.

709. You say it has been in operation for the last 18 years in the work in which you are employed; has it also been so long in operation in other works?—I think so; I think it has been in operation I may say with the half of the shops in Glasgow, for the same length of time.

710. You mean, it is now in operation in half of the iron-foundries in Glasgow?—At the present time it is in operation, with two exceptions.

711. Then, with the exception of two, it is in operation in the whole of Glasgow?—In the whole of Glasgow.

712. And you believe generally throughout Scotland?—I think it is throughout Scotland, generally speaking, the rule.

713. Previous to the introduction of this system of minute contract, was the system monthly, or fortnightly, or weekly?—Weekly warnings were the general rule.

714. What led to the introduction of the change; did it come from the masters or from the men?—So far as I am aware, it came from the employers themselves.

715. And no evil has resulted to the employers?—I believe it is a general good to both, inasmuch as if a workman is unsteady, and an employer requires to give him a fortnight's warning, or a week's warning, it takes him some time to get quit of him, whereas, in minute's warnings he can be dismissed if he is doing anything that is improper

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improper, and the employer would be likely to get a person that would be more suitable to him.

716. Has any evil been known to arise from this system of minute contracts in this way; I suppose there are operations in your trade which have to be performed by certain individuals, and which, if those individuals were to neglect them, would result in loss to the master, and, at any rate, in temporary stoppage to the works?—I have not known any case in which it has occurred.

717. But I ask, whether there are in your trade certain positions where men, if they left their work suddenly, would throw the whole thing, as it were, out of gear?—Of course there are positions in which, if the men were to leave work suddenly, it would be detrimental to the employers, so far as the work is concerned.

718. There are such instances in mines, and evidence has been given to us that in the case of mines there is security given to the master by certain rules and regulations, which become statutory by the consent of the Home Secretary?—Just so.

719. The master in the iron-moulding trade has no such security?—No such security.

720. But, in spite of having no such security, to the best of your knowledge, the system of minute contracts has become almost universal in the trade?—Almost universal in the trades, and I am not aware of any inconvenience or loss having occurred to the employer through these minute warnings, else it would follow that they would not have been so generally adopted.

721. Of course that loss might not only fall upon the employer, but upon the fellow-workmen of the man who has left his work?—Just so; but with regard to that, the men have a character as workmen to support; if they are guilty of neglecting work or leaving it in an unfinished state, their name would be brought down a little, and their wages of course would come down as well, and it would be difficult for them to get another job.

722. Then you do not anticipate, at any rate in your own trade, that any evil would arise from a change in the law, judging from what you see of the operation of the system of minute contracts?—I think that a change of the law would be actually beneficial; when any case does occur, although it is not in connection with the workmen themselves, the other workmen feel it very strongly.

723. I suppose your objection to the law—it is an objection we have heard generally argued here—is that a contract between master and servant is a civil contract, properly speaking, and ought to be so treated, whereas it is now treated by the law criminally?—That, I believe, is the wish of every man, that the contract should be equal on the part of both.

724. And you say that at present it is not so?—It is not.

725. I infer from what you have stated, that in your trade you consider it is entirely unnecessary?—I cannot see that there is any use in it.

726. And you believe that the practical working of the minute system has so far borne this out, and that you have known of no case of loss from it to the master or to the men?—Just so.

727. What change in the law would you propose?—I would suggest that whatever warning is given to the one should be given to the other; if a man is punished as a criminal, the employer should be punished as well; but if on the other hand, a breach of contract on the part of the employer is treated only civilly, we argue that the same course should be adopted with the men.

728. There might be cases where the sudden leaving of his work by a man in a responsible position would entail great loss upon the master, and inconvenience and loss likewise upon his fellow workmen; supposing the law to be changed, would you see any objection to deal with such a case exceptionally, as is done to a certain extent under the special general rules which regulate mines?—I would have no objection to this, that in any case of desertion of service on the part of a man that incurred any loss to the employer, it should be dealt with as an exception.

729. Where damage is thereby done to the employer, and judgment is given in favour of the employer and against the workmen, for damages in the event of the servant being unable to pay from his means, being insufficient to meet the fine or the damages, do you see any objection to his being imprisoned?—I would have no objection whatever.

730. Would you see any objection to the following of his wages, as is done by the common law now?—With regard to the arrestment of wages.

731. I mean not as regards the general arrestment of wages as between creditor and debtor, but as between master and servant, in case of the recovery of damages and fines?—I would not see any objection to the man's wages being arrested if he were not able to pay the fine.

732. In the interest of the man, would it not be preferable that there should be a power of following his wages to the master selling him up?—It would be preferable.

733. If you had done anything, the result of which was, that you had to pay damages or a fine, you would, as a workman, prefer that a certain portion of your wages should be arrested and followed, rather than that the master should sell you out of house and home?—Much more; a workman after his house is sold off generally loses caste, and it is seldom ever the case that he is reinstated again in his former position.

734. An objection has been raised here to the jurisdiction of the magistrates; do you object to the law as at present administered in that respect?—It is a serious objection amongst working men, that cases should be tried before the justices.

735. On what grounds?—Inasmuch as, in every case, the justices are employers themselves; and the general feeling as regards the dispensing of the law in justice of the peace courts is, that rather than give them the name of justice of the peace they should give them the name of *in*-justice of the peace, if such a term could be applied.

736. Does that arise from a general belief that the justices have a fellow feeling with the masters, upon whose cases they are adjudicating, and that, therefore, they do not do justice from that sympathy with the master, or is it an objection that rests upon an idea that these justices are not so conversant with the law as the sheriff, or some other legally appointed authority of that kind, would be?—I believe the feeling runs both ways.

In

In the first place, there is a feeling that the law is not properly administered by them; and, in the second place, that it would be much more impartially administered by a sheriff, or a party that had some knowledge of the law.

737. But you say that this arises partly from a belief that the law is partially administered; from your own knowledge can you say that the law is partially administered?—I have seen a good many cases.

738. In what trades?—Both in the coopers and potters, and in some cases in connection with our own trade; of course I had nothing whatever to do with them; I was an onlooker.

739. There has been what you think a miscarriage of justice in several cases, through the partiality of the justice?—Of the justice.

740. Can you name those cases?—No; none of the names occur to me at present.

741. You cannot name any?—There was that case in connection with the potters; I forget the name of the party that was brought up; in our own trade, too, there was the case of Peter Stewart, which I referred to just now; it did not appear to me that there was any justice given in that case at all; and it will appear plainly to your lordships when I say that almost invariably—there may be a few exceptions—the man is unattended by any competent party to take up the case on his behalf; in most of the cases he is taken, tried, and condemned before he can have the opportunity of consulting any party as to the course he should pursue; another point of objection is, that there is no appeal from the decision of the justices.

742. Mr. *George.*] You say you think the law between master and servant ought to be precisely uniform, and that a breach of contract on either side should be treated as a civil matter?—I think so; I think that would satisfy the workmen.

743. That is what the workmen want?—The workmen want to be treated civilly instead of being made criminals.

744. But do you think that the circumstances of the master and the circumstances of the workmen are in all respects parallel; may not any act or any breach of contract of the master be always compensated by money, which he is perfectly able to pay, whereas in the case of the workmen their act or breach of contract may be attended with dangerous consequences that savour of criminality; do you understand the distinction?—I understand it; but it has never come under my observation that any serious consequences result to the employer from any breach of contract on the part of the men.

745. You speak of your own particular trade?—Of my own particular trade.

746. Are you acquainted with the circumstances of the mining trade?—No; I cannot speak of it at all.

747. Are there no peculiar circumstances in your own particular trade, where a breach of contract by a workman leaving his employment suddenly might tend to do irreparable damage to the master or to his fellow workmen?—I cannot say that there are, inasmuch as there are many men capable of doing the work which that man may have left.

748. Your statement is based on that ground only, that you think a man's place may be supplied, and that, therefore, no great injury can ensue?—Just so.

749. But if the circumstances were different, if there were in your own trade a workman employed for a particular purpose, and, if he suddenly abandoned his work, it would risk the property of his employer, or perhaps the lives of his fellow workmen, would you not think that his act savoured of criminality, and ought to be treated as such?—In exceptional cases.

750. Am I to understand your opinion to be, that all cases of breach of contract between master and servant ought to be treated in the first instance as civil matters?—As civil.

751. But if there transpired in the course of the inquiry anything that savoured of criminality it should then be punishable as such?—Just so.

752. Would the result of that opinion be, that you would desire a summons to issue for every breach of contract between master and servant in the first instance, and not that it should be treated as a criminal matter, and the man be brought before the tribunal by warrant?—Yes, I think that would be the proper course, and that instead of a justice of the peace trying the case it should be the sheriff.

753. You object to the tribunal, but that is a different matter; I am speaking now of the nature of the offence, and whether it ought to be treated as a civil or a criminal matter; and I understand you to say that if there were exceptional cases, in the nature of criminal offences, you would not object to those being punished criminally?—Not at all.

754. Supposing the general rule were that a summons should issue in the first instance, and the master in any particular case stated facts that amounted to a criminal charge, you would not in that case, object to a warrant being issued by a proper tribunal?—I could have no objection to that.

755. Mr. *Jackson.*] You are a moulder?—Yes.

756. Suppose the cupola full of melted metal, and all the rest of the men except the moulder were at work, and you refused to go on, and so made your fellow-workmen lose half a day's wages, would you treat that criminally?—If it occasioned loss to the employer, I would say that it should be treated criminally.

757. Suppose the result was a loss to the man's fellow workmen of half a day's wages, in consequence of his refusing to bear his share of the work of the day, how would you treat that?—I could scarcely suppose such a case.

758. Suppose such a case to occur, and it has to my own knowledge occurred, how would you treat it?—I have already hinted that exceptional cases, such as may be suggested, should be treated criminally.

759. Would you treat the case I have mentioned as an exception?—I have never seen it in my own experience occur.

760. But how would you treat it, if it did occur?—I would call that an exceptional case, and it should be treated criminally.

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761. *Chairman.*] YOU are from Sheffield, I believe?—I am.

762. In what capacity do you appear before the Committee?—As secretary to the organized trades of Sheffield, and representing to a large extent a number of other trades not in connection with that association.

763. What is the object of the organization; is it a trades' union generally?—It is an amalgamation of trades societies for the purpose of rendering moral and pecuniary support in cases of dispute with an employer, or otherwise.

764. It is not a friendly society?—No.

765. It is what is commonly called a trades' union?—It is an amalgamation of trades' unions, but it has no funds for the purpose of strikes; it recommends cases to the trades, if it approves of the objects.

766. Have you yourself been employed?—I am employed now.

767. In what capacity?—As manager for Messrs. Loxley, printers and stationers.

768. You are in the printing business?—By trade.

769. Have you been a working printer?—I am now, as manager of the establishment.

770. The trades' association which you represent has turned its attention to the law of master and servant?—It has.

771. Has it taken any steps towards effecting a change in the law?—Yes, in conjunction with our friends in Glasgow, and other places.

772. You appear before the Committee with the view of effecting some change?—Yes.

773. Why do you wish a change in the law?—Because we think that it is unjust to the employed that he should be treated as a criminal for the breach of what we believe to be a civil offence; and I may state that this feeling is not confined to unionists, but extends to non-unionists as well. There are non-unionists in Sheffield, as well as in other towns; some of them have spoken and written on this question, and they feel, and I believe a number of the employers are of the same opinion, that the law should be altered.

774. Have you seen many cases arising under the present law in Sheffield?—Yes, a good number in the staple trades of the town, but none in my own trade.

775. In your own trade generally, are cases very rare?—Very rare.

776. Then it is mostly in the hardware trades that they occur?—Mostly in the hardware trades.

777. Of Sheffield?—Sheffield and the district.

778. In what branches of those trades do they mostly occur?—So far as my knowledge goes, in the cutlery branches; there are some in the iron trades and in the stove-grate manufactures.

779. But it is mostly in the cutlery?—Chiefly in the cutlery.

780. What is your system of contract?—The system of the town is monthly, a month's notice.

781. As applied to all trades?—As applied generally; within the last few years, you will be doubtless aware, some large ironworks have been introduced; those of Messrs. John Brown and others.

782. Iron-plate makers?—Yes; their system is, I believe, a fortnight's notice; but where there is no special agreement to the contrary, the magistrate, or the county court judge, as the case may be, gives the custom of the town to be a month.

783. He assumes that?—That has been the decision over and over again.

784. Has the custom always been considered to be monthly, or is that a diminution from some longer period?—It has always been a month, so far as my own knowledge goes.

785. You have no recollection of yearly, or six months' or quarterly contracts?—Except in cases of hiring.

786. Ordinarily, it has been monthly?—Monthly.

787. And, in that respect, there has been no change of late years?—None.

788. You have been in this room to-day during the giving of the evidence?—Yes; the greater portion of the time.

789. You have heard the evidence given from Scotland of a system of what is called minute contracts prevailing there?—Yes.

790. You are not aware of such a system existing in Sheffield?—I believe there are some exceptional cases, but not many; they will be in the newer trades that have been imported.

791. In what trades?—In some of the larger iron trades, but generally it is the fortnight; each manufactory has special rules for its own guidance, but the custom of the trade is the fortnight.

792. You cannot speak of the operation of the minute contract system in any trade in Sheffield?—I cannot.

793. But you believe such a thing to exist?—Yes, in exceptional cases.

794. Who is there that can give any evidence upon that?—I cannot; I have seen something about it in printed rules, but I cannot remember the names of the firms that adopt it.

795. Perhaps you will let us know if there are any?—I will; I will endeavour to ascertain.

796. The change you propose, is to render civil what is now a criminal proceeding, viz., a breach of contract?—Yes.

797. Would you propose that change in the law without exceptions?—I believe that generally it would be acceptable in Sheffield, and that it would not operate injuriously either to employer or employed; we are very different to the colliers and those trades where one class of men depends so much upon another, as has been described by Mr. M'Donald; but the great hardship is a man being summoned, or rather being apprehended on warrant, and taken before the magistrates without any notice; I have cases here in which that has operated with very great hardship on the men—cases in which they have been taken some miles to be tried before a magistrate really before their friends have known where they have been.

798. Do you think that if there were a change in the law, cases might not arise in which there would be great loss to the master, and also loss to fellow-servants, but which now, perhaps, are prevented by what you would call the extreme severity of the law?—I think there would be very few indeed, so far as Sheffield is concerned; I believe the civil law would meet the case generally.

799. Would

799. Would you be prepared, speaking on the part of the workmen, to accept such a change in the law as would provide for exceptional cases, where they could be proved?—I think it is only proper that it should be so.

800. Would you have any objection to imprisonment, in case of damages, and the non-payment of the amount of them, no matter what that amount might be?—I think there should be a limit to the amount of damages claimed by the employer. If the amount were a reasonable one, I think a workman should be compelled to pay it; and failing to pay it he should be sent to prison, as he is now in the case of a civil debt.

801. In the case of a man being unable to pay whatever damages were awarded, or whatever fine was imposed upon him, would you object to a power of arresting and following his wages?—So far as the employer is concerned that might answer; but I have a very strong objection to the arrestment of wages, as I understand it exists in Scotland; it does not exist in England; but to meet the special case, I think it would be proper that it should be introduced in any alteration that may be made.

802. The witnesses from Scotland objected to the arrestment of wages as between debtor and creditor, but they stated that they thought in such cases as breach of contract between master and servant, where damages were awarded or fines imposed, the system of arresting wages was a sound one, and that it might be well even to extend it, and make it statutory where it does not exist. Do you agree in that view?—Yes, I do, so far as these cases go, as between employer and employed.

803. But as between debtor and creditor you agree with the Scotch view, that it is not desirable?—I believe it would be very objectionable to the trades of our district, and, probably, I think, to the trades of the country at large. We have had a number of cases where parties have been imprisoned a second time for the same offence, and a great deal of attention has been directed to this in Sheffield, to try to break down the system.

804. Do you believe that if the system of minute contracts were introduced in the trades in Sheffield it would be found to answer, and be for the interest of both employer and employed?—I believe it would; I know of my own knowledge of many men, and many masters too, who would prefer being able to terminate the engagement at such a short notice.

805. Were you aware of the existence of these minute contracts in Scotland to the extent to which, from the evidence given to-day, it appears to prevail?—I was not.

806. Do you think that generally throughout the trades in England it is known that the system prevails to such an extent in Scotland?—So far as my knowledge goes, I do not think it is understood to be so extensively practised in Scotland.

807. Mr. *Algernon Egerton.*] You are secretary to an amalgamated society of trades' unions, are you not?—Yes.

808. I wish to know whether the system of contracts of which you have been speaking exists over all that part of Yorkshire with which you are connected, or whether it is usual to have a fortnight's notice?—So far as the custom in what are called the staple trades of the town goes, it is generally a month; I refer to the cutlery and hardware trades, in which are comprised the various grinding branches of the town.

809. Judging from your own experience, would you be in favour of a month's or a fortnight's notice?—The fortnight's notice would be much preferable, I think, to the month's, and I believe it would be generally more acceptable.

810. On what grounds?—In the first place, so far as the employer is concerned, he would, in the event of the falling off of work, be able to dispense with a large staff of hands in half the time, supposing the notice were a fortnight instead of a month, and in that case it would be an advantage to him; and with respect to the men, they would be at liberty a fortnight sooner in the event of a better situation offering itself. In my own trade I know a number of instances where better situations offered, and employers generally have refused to let the men go under the month. When they have let them go, there has been a mutual breaking of the contract between the two parties; but, on the other hand, a number of cases have occurred where the employer refused to let them go, and in consequence of that the men have lost the other situation, because the employer there would not wait.

811. Mr. *George.*] Am I to understand that you desire, on the part of the workmen, that in every case of breach of contract between master and workman, it should be in the general considered to be a breach of civil contract?—Yes; that is the feeling of the workmen of Sheffield.

812. You mean that it should be reciprocal; that the breach of contract on the part of a master and on the part of a servant should in general be considered as the breach of a civil contract?—Yes.

813. And that a summons should issue instead of a warrant as against the workman in the first instance?—Yes.

814. Do you admit that there may be a great many cases where the breach of contract by the workman, leading to irreparable damage, or to great mischief, either to his employer or to his fellow-workman, may amount to a crime?—Yes; I think there may be such cases.

815. Then, if there were cases of that kind specified in the Act of Parliament, and if a master on oath deposed that a workman had been guilty of any of these specified acts, would you think it objectionable that, in such cases, the workman having in fact been guilty of a crime, a warrant should be issued against him?—I think there should be a summons in the first place, and then a warrant afterwards.

816. Suppose the effect of the summons would be to give the workman notice to get out of the way, so that he could not be afterwards arrested upon warrant, how would you deal with that case?—The great bulk of the workmen in Sheffield are members of the trade societies, and the whole of these societies, as far as I know, endeavour to deal with justice in that respect to masters and workmen, and they would take care, in the event of a man absconding, that if he came again into the neighbourhood to work, he should be given up to the proper parties.

817. But it is a fact that these trades' unions, however proper they may be between workman and masters, are not recognised by law, so as to interfere with the ordinary administration of it?—Yes.

818. I do not speak of the moral influence that your society might have upon the workman; but

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but how would you deal, in point of law, with a case such as the one I put to you? If there was a specified case in the Act of Parliament where the workman's act, or breach of contract, might lead to irreparable damage, and the master made an affidavit, would you object that a warrant should issue from the proper tribunal to arrest the workman?—No, I would not, provided the workman had proper notice given of it; that is, that he should have a proper trial.

819. But if the man had done a criminal act, you would not give him civil notice to run away from the consequences of it?—I would not; but I would not have him fetched out of bed between 4 and 5 o'clock in the morning, and tried and convicted by 12 o'clock the same day, before his friends knew where he had gone to; I could put in a case of that sort.

820. Will you state the substance of it?—I have the substance of it, but here is the case signed by the men.

821. What was the act complained of?—It is the case of two men, Joseph Norbourn, and George Flint, stove-grate fitters of Masbro'; in 1860 they worked for Mr. Watson, of Masbro'; a dispute arose amongst them, as to wages I believe; it is not stated here.

822. Was it as to wages; because it is very essential to know whether it was merely a civil matter or not?—It says here that a dispute arose, and they gave a legal fortnight's notice; which the employer refused to take.

823. But it does not state what the dispute was about?—It does not. At the end of the first week the master refused to pay them their wages; at the commencement of the second week they consequently refused to work, but tendered their services every day until the Wednesday, when the employer took out a warrant, and they were apprehended by a policeman, and taken to the lock-up at Rotherham; the next morning they were taken to the magistrate's private residence, some four miles distant from the place; the magistrate was not at home, and they were taken then to another magistrate two miles further off, and after waiting a considerable time, the gentleman arrived, and about the same time that he arrived, their legal adviser arrived also, and put in a strong claim for an adjournment of the case, in order to give him time to get up evidence to rebut the charge brought against the men, which was one of neglect of work and intimidation.

824. And intimidation?—Yes. The magistrate refused to grant the adjournment.

825. Would you consider intimidation either of the master or of the fellow workman, by a workman, in the nature of a crime?—Not such a crime as that he should be punished in the way these men were.

826. I am just asking the question, would you consider that an exceptional case? If one workman threatened another, "You shall suffer so-and-so, if you work for your employer," would you not consider that amount of intimidation a crime?—Undoubtedly, it is a crime against the law.

827. In the particular case you are referring to, intimidation was charged?—Yes. These men were sentenced to a month's imprisonment with hard labour.

828. Does it appear in that case that intimidation was proved against them?—It does not say; but I believe it was not, because, after they had served their month's imprisonment, their employer took one of them back again.

829. But am I to understand your evidence to be, that if an exception, such as a case of intimidation would be, were proved, you would consider that in the nature of a criminal offence, that might, and ought to be treated criminally?—Undoubtedly, I think so; but we think that the magistrates are not the proper parties to deal with these cases. We think the county court judges are the men; we do not doubt the honesty of the magistrates, but we know from the surroundings with which they are connected, their feeling generally is in favour of the employing classes, inasmuch as they themselves are, to a large extent, employers of labour.

830. Is it not the fact, that there are a great number of magistrates in Sheffield who are not masters?—There are some who are solicitors now, but the bulk of them are manufacturers; generally the mayor for the time being is a manufacturer. We have no stipendiary magistrate, and that is one of the evils under which we consider that we labour.

831. You object to these cases being adjudicated upon by magistrates, who, generally speaking, are themselves employers?—Yes.

832. But supposing that one or two magistrates could be found to adjudicate upon cases of this kind between master and workman, would you object to an ordinary unpaid magistrate adjudicating upon them, as he would upon any ordinary case of wages between a domestic master and servant?—I think it would be much better if he were unconnected with trade altogether, and hence the objection, whether it is well founded or not I am not prepared to say, that the magistrates give a wrong decision. Understand me, I do not wish to convey that impression; but the feeling is, that they do in some cases.

833. That they may do so?—That they may do so.

834. But if they were unconnected with a particular trade, or with trade altogether, would you have the same objection?—No, I should not have the same objection; but then I think it is the business of a civil court rather than of a criminal court.

835. The county court judge at Sheffield is not constantly sitting, I believe?—Almost daily; two or three days a week, certainly.

836. Cannot you conceive a great many cases where it would be all important that, whether the process were a summons or a warrant, it should be issued *instanter*, so as to have the matter decided at once; and that two or three days might not elapse previous to the sitting of the county court judge, during which irreparable damage might be done?—I cannot see it.

837. Supposing a refractory workman kept a hundred men out of their employment by his refusal to work, would you think it right to wait three days before the point was settled between him and his employer, on which the daily bread of so many people might depend?—I would rather wait three weeks than do such injustice to men as is being done by the present law.

838. But if you have a tribunal constantly sitting, would you not think it desirable the matter should at once be disposed of?—I think if there are not sufficient county court judges there should be more appointed.

839. So as to have a tribunal constantly sitting who

who could adjudicate on these matters?—Yes; but the cases are not of such constant occurrence as to require him to be constantly sitting as far as Sheffield is concerned.

840. So far as your experience goes, are the number of cases that occur between master and workman in Sheffield very frequent?—They are not so frequent there as in other parts of the country.

841. Can you make any approximation to the number of cases between master and servant that are tried by the magistrates there in the course of the year?—I am not prepared to do so.

842. Would you be able to get for the Committee, from the legal tribunal, returns of the number of these cases?—I should think I could if it were the wish of the Committee to have it.

843. As far as your own knowledge goes, are they frequent; are there many in the week?—No, not many in the week; there may be weeks that there are none reported; we have daily papers in Sheffield, and I presume they report all these cases, but there may be weeks without any occurring; already one portion of the men have to go before the county court judge instead of before the magistrate.

844. Mr. *Jackson.*] You recommend the county court judge because there is no stipendiary magistrate?—Yes.

845. And he is the next legal authority that you would like to go to?—Yes, and individually I think a town with 200,000 inhabitants should have a stipendiary magistrate.

846. Has the body corporate made any application for a stipendiary magistrate to be appointed?—There has been some agitation about it in the town, but the corporation, as far as my knowledge, have not done so.

847. You have county magistrates in the borough?—Borough and West Riding magistrates.

848. Do many of the county magistrates preside in Sheffield and the neighbourhood?—A good many.

849. The county magistrates sit in the borough, do they not?—Yes; they sit, I believe, twice a week, on Tuesdays and Fridays.

850. For borough cases?—They will take either; they can take county cases, which the others cannot.

851. Do they take borough as well as county cases?—Yes, they arrange the days of meeting among themselves; there is either a borough or a county magistrate in attendance daily; the mayor is the chairman of the borough magistrates when he is present.

852. The mayor, by virtue of his office, becomes a magistrate?—Yes.

853. It is customary for the mayor of a large borough to become a county magistrate on ceasing to be mayor, is that so in Sheffield;—No; he holds office as magistrate, *ex officio*, for the year following.

854. Mr. *Algernon Egerton.*] He holds office as a borough magistrate?—Yes, for the year following.

855. Mr. *Jackson.*] Have you not found these trades' unions prejudicial to the growth of trade in Sheffield?—Well, that is a question that I should answer in the negative, undoubtedly; I do not think they have been; it is alleged in some cases that they are, but I have not been convinced as yet that the fact is so.

856. Is it not true that many articles that might be produced at Sheffield cannot be produced there in consequence of the stringent laws of the trades' unions; I will take, for instance, the cheap cutlery that is manufactured in Holland and exported from Rotterdam in large quantities: hatchets, and catch-knives, and such like?—The cutlery trades are the worst paid in the town, I might almost say in the country.

857. Is it not a fact that the particular class of trade I have mentioned, is excluded from Sheffield in consequence of the rules of the trades' unions?—I cannot conceive how that can be, for they work for wages low enough certainly, when the average wages of some of the cutlery trades will not be more than 14*s.* or 15*s.* a week. They are rather better now in what is called the spring knife trade. They have been getting up the wages recently.

858. Has not the file trade felt the inconvenience of the trades' union?—The employers allege that they have.

859. But you do not agree with them?—I do not.

860. You are of opinion that the borough magistrates, being more or less connected with trade, and the county magistrates being more or less intimate with the borough magistrates, gives them a tendency to favour the masters, their feelings being naturally in favour of the masters?—That is the impression.

861. Whether true or not, that is the impression of the working men?—Understand me clearly, I do not wish to impute any motives to the magistrates.

862. I want to know the general feeling of the working classes in Sheffield; I understand you to say that at present they are not sent before a proper tribunal, and that they would rather go before a legal authority, such as a stipendiary magistrate or a county court judge, in preference to the county or the borough magistrate?—I believe that is the feeling of the workmen generally in Sheffield.

863. Mr. *George.*] I did not understand your evidence to be, that they would object to the magistrates, who are not masters, merely because they were intimate with magistrates that were?—I would not object to them, but the feeling of the men is that their sympathies are with the employers, and that they cannot get strict justice from them.

864. Your own feeling is that they may get strict justice, and that they do get strict justice; but the general feeling of the working classes is, that they would be better served if they were served by a legal man than by either the present borough or county magistrates?—That is so; and I will state, if you will allow me, that we have had a number of cases in the cutlery trade, where men have been hired. That I believe to be a demoralising system to both employers and employed. In some cases a second commitment has been obtained; and in a recent case, the magistrate, who was a solicitor, decided to suspend the summons, and take the opinion of the Court of Queen's Bench. It was the case of Unwin *v.* Clarke. Clarke was hired for two years for Messrs. Unwin and Rogers, and in November last he refused to work, except at the advanced price which was paid by most of the masters and employers. He was summoned for neglect of work, and committed for 21 days. On his release from

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prison, he applied for his working tools, which were his own private property. His employer refused them, and they took out a second summons, but the magistrate, doubting whether they had the power to commit a second time for the same offence (a number of cases were cited in which it had been done, and some in which the summons had been refused), suspended the summons, and granted a case for the Court of Queen's Bench, which was heard on 28th April last, before Justices Blackburn, Mellor, and Shee. The two former were of opinion that the magistrates were bound to commit the second time for the same offence; but the latter (Justice Shee) was of a contrary opinion, and expressed himself very strongly, according to the report of the trial, which I have here, but as the other judges were against him he gave way. The man was brought up before the magistrates of Sheffield the other week, and, rather than go to prison a second time, on the advice of his attorney he consented to return to work and fulfil his contract. This system of hiring is one, I say, that is demoralising to both employers and employed. An employer of labour is busy, he offers the inducement of a 5 *l.* or a 10 *l.* note to a man to get him to work for him, but often when this money is obtained, it is spent in riotous living (probably that would be the proper term for it); it is wasted often, and the man then feels his position, and begins to think that he has made a mistake in getting hired; the consequence is, that he does not work willingly for his employer. He is bound for a time, and he should fulfil his contract according to his agreement; but these cases give rise to a great number of hearings before the magistrates, and the employer, in my opinion, is culpable for offering the inducement, and the man is culpable for accepting the bribe, for it is nothing more nor less than a bribe.

865. Mr. *Jackson.*] Does it occur often that one master bribes another man's servant to leave?—Frequently; and I have heard a manufacturer in the same trade say that another manufacturer ought to be horsewhipped for offering the inducement, because he has taken some of his men, offering a greater premium than he would.

866. Do you know of many cases in which men who have left their employ under such circumstances have been punished?—I know of a number of such cases where men have left, but they have always been punished; the law has always been carried out against them.

867. It has been strong enough to meet that case?—It is a system that the magistrates, as well as the trades generally, set their faces against and condemn.

868. How would you treat the case of a man being bought by another to leave his employer, supposing him to be brought before the magistrate for punishment, would you treat it as a civil or as a criminal case?—Clearly a civil offence; and I will tell you why. It is just as though a friend of mine lent me a 10 *l.*-note for a given consideration, or for a matter of convenience; if I do not repay it, that is a civil offence; and I quite think the other should be a civil offence.

869. Would you have him punished by a penalty?—I would have him brought before a county court judge, and the money obtained from him as a common debt. I think a case of that sort is clearly a civil case, and the employer should know that it is so, and that he has not a criminal redress for the man breaking his contract.

870. In the event of his not being able to pay the fine and costs, you would have him imprisoned?—As for an ordinary debt.

871. *Chairman.*] Or his prospective wages followed?—Yes.

872. Mr. *Jackson.*] Would you stop his wages?—I would stop his wages if he had any due to him undoubtedly.

873. But supposing a man were hired for two years, and at the end of two months he is brought before a magistrate or a county court judge, and fined 2 *l.* or 5 *l.* and costs, would you give power to the magistrate to stop that fine out of the wages that would accrue to him during the remainder of the term of his hiring that he would have to serve?—I don't think I should, and I will tell you why——

874. *Chairman.*] To me you said yes?—Not in those cases where a bribe is given?—I think there should be a strenuous effort to break the system down; it is so demoralising both to employer and employed.

875. Mr. *Jackson.*] But supposing a dishonest employer takes away an honest employer's man, and the man is brought before a magistrate and fined, would you not let the honest master have the power of stopping the wages of the man?—Yes; but as a rule the respectable employers do not do it. There are exceptions.

876. You know that such cases occur?—Yes; there was another case which I will name if the Committee will hear it; it is another branch of trade, the railway spring trade; the case of Henry Court. He was working in 1861 for Messrs. Burgin and Wells, of Sheffield; an employer in Wolverhampton, named Jenks, offered him an inducement, and he left Messrs. Burgin and Wells, and went to Wolverhampton to work; the inducement was a constant situation with increased wages. After he had been there a short time the work fell off, and he could not find him half employment; the man consequently refused to stay any longer, and left his situation and returned back to Sheffield to his old place. The employer in Wolverhampton sent him notice that if he did not return to his work he would bring him before the magistrate. He took no notice of that, and a policeman was sent from Wolverhampton to Sheffield with a warrant, and he was apprehended and taken back to Wolverhampton; he was there tried, and the magistrate dismissed the case; he thought there was no case against the man, believing that his master had not done his duty in not having kept his agreement, which was to find him full work. This man was set at liberty at Wolverhampton, and he was away 70 or 80 miles, I believe it is, from Sheffield, without any money in his pocket, and he had to remain there until his friends in Sheffield could raise something to fetch him home. This man was fetched from Sheffield to Wolverhampton, and although the case against him was dismissed, he had no redress; and that is one grievance we complain about. The case against a man may be dismissed, but he cannot get any redress, and if he is convicted, it is treated as a criminal offence.

877. Then the case having been heard before a magistrate, and having been decided in favour of a man, you would make the employer who arrested him answerable for all the expenses connected

connected with the case, and sending the man back again to the place he took him from?—I think that is only fair.

878. Mr. *George.*] Would not a civil action at the suit of the workman lie against the employer you allude to at Wolverhampton, who violated his contract with him, having promised him work which he did not give to him; and could he not recover damages for the loss to which he had been subjected?—I believe not under the statute under which this man was apprehended; I am told not.

879. But would not such an act on the part of an employer give a workman a right to a civil action against him for a gross breach of contract?—The man was advised that he had no redress, and hence he took no steps in the matter. With regard to the feeling of the trade of Sheffield, I may state that a great number of petitions to the House in favour of the Bill that was introduced by Mr. Cobbett last year have been sent up already, and a number more are ready for presentation. They have been very numerously signed; I believe all the trades in the town have signed such a petition.

880. Mr. *Jackson.*] Do such houses as Rodgers & Co. engage the men monthly?—Monthly. Theirs is one of the best houses in Sheffield; they pay the best prices, and consequently get the best workmen; their knives will sell for much more than most other people's.

881. What is the practice of Messrs. Charles Cammell & Co.?—I believe a fortnight, chiefly.

882. Is the system of all the new trade, such as locomotive spring makers, fortnightly or monthly?—Fortnightly, I believe; in some few cases, weekly.

883. That applies to all the new trades that have gone to Sheffield?—Yes, as far as my knowledge goes, it is so.

884. What is it with regard to founder's work?—That would be monthly.

885. Mr. *Potter.*] Are the new trades under the trades union?—Generally.

886. There are some exceptions, are there not? Are Brown's and Cammell's under the trades union?—Yes, except the steel melters and armour-plate rollers; they are not.

887. They are not under the trades union?—No; and a good reason why; because the men who are what they call foremen contract to do a certain amount of work; they get it done, and they pay what they choose for it. They will make, perhaps, 10 *l.*, or it may be 20 *l.* a week in some cases, where the men will not get 1 *l.*, or more than 1 *l.*

888. Only the one possesses skill, and the other does not?—That is matter of opinion; some of these men say they could do the work as well as the man that gets the high wages; but that I am not prepared to say. Undoubtedly skill is worth a good deal, and should be paid for.

889. And you generally find it is paid for to the person who possesses it?—Certainly; but some skilled workmen do not get the same amount of remuneration as other skilled workmen.

Friday, 1st June 1866.

MEMBERS PRESENT:

Mr. Clive.	Mr. Gathorne Hardy.
Mr. Algernon Egerton.	Mr. Jackson.
Lord Elcho.	Mr. M'Lagan.
Sir James Fergusson.	Mr. Edmund Potter.
Mr. George.	Mr. Alderman Salomons.

LORD ELCHO, IN THE CHAIR.

Mr. JOHN NORMANSELL, called in; and Examined.

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890. *Chairman.*] I BELIEVE you have been giving evidence before the Mines Committee?—Yes, as representing the miners of South Yorkshire.

891. In what capacity do you appear before this Committee?—I am the Secretary of the South Yorkshire Miners' Association.

892. In that capacity has your attention been drawn to the law of master and servant?—It has in some intances; I have never been a great sufferer under it myself, but I have known men who have suffered a great deal under it.

893. Has your society taken any steps with a view to obtaining an amendment of the law?—Yes; we are giving assistance to the movement.

894. You think that it is desirable that there should be some change in the law?—Yes; the miners generally of South Yorkshire do.

895. What is their objection to the present state of the law?—They think it is not right that they should be fetched out of bed by warrant, in consequence of leaving their employment without notice, or for breaking their contract.

896. You say fetched out of bed by warrants; do such instances frequently occur under the present law?—They have not occurred so often these last 12 months as before, but we have had several cases these last 12 months. We had a very striking case about two and a half years ago. There was a breakdown at a particular colliery, the work was standing for a fortnight, and when the work was ready to be resumed again, some of the men, I am not prepared to say that all, were absent when the pit was ready to resume work again after the breakdown, and one of the men was summoned, or rather there was a warrant issued against him, and he was apprehended about 12 o'clock in the day, on the very day the pit should have resumed work, taken before the magistrates at Rotherham, and committed for 31 days to the Wakefield House of Correction. He asked the magistrates for a remand, to give him time for defence, but it was refused.

897. Mr. *Clive.*] You used the word remand, do you mean sending him back to prison for a time?—He wished the hearing of the case to be put off for a few days.

898. I thought you said he was apprehended?—He was apprehended, taken, tried, and convicted; but before conviction he asked the case to be put off a few days, so that he might get up a defence. Of course it was very much spoken against, and I believe Sir George Grey was written to about it, but I am not prepared to say what answer Sir George Grey gave to it.

899. *Chairman.*] He was confined to prison for 31 days?—Yes.

900. On coming out, did he fulfil his contract?—I am not prepared to say. If he commenced at the colliery again at all, he went to another place; I believe he did not commence at the same place again.

901. Your association embraces what number of miners?—About 5,000.

902. In those 5,000, how many cases occur in the course of the year, upon the average?—I am not prepared to say. I have not taken particular notice, but I should think we have had, perhaps, eight or ten cases by warrant these last 12 or 16 months.

903. Eight or 10 cases among 5,000 men in 12 months?—Yes, by warrant; and we have had many cases where the men have been summoned before magistrates.

904. How many cases of that kind have there been?—I have noticed, perhaps, 18 or 20 of that class.

905. In the cases of those who were brought before the magistrates under warrant, were all those men committed to prison?—Not all of them. Generally, when the men have been brought up by warrant, it has been the case the last 12 months, and I may say over 12 months, that the masters have generally agreed with the men to go back and serve a fortnight's notice and pay the costs, and the matter has been allowed to rest there. We have had more cases of that description, where the matter has been compromised under warrants, than cases where they have been sent to gaol. They have paid their costs and gone back to their employment.

906. In those cases where the men were apprehended under warrant, were they cases of men who had absconded?—No, not absconded, left their employment.

907. But had not left the country?—No, left on some dispute taking place in their work.

908. Of the eight or ten cases, how many do you suppose ended in imprisonment?—I do not think more than half of them ended in imprisonment.

909. With respect to the cases under summons, what was the issue in those cases, mostly?—Under summons, they have generally gone back to their employments, and paid the costs.

910. Did any of those cases end in imprisonment?—

ment?—No; I do not know that I have known any case where the man has been imprisoned under a summons; I am not aware of any.

911. Not on failure to pay the fine which may have been inflicted?—No; they have generally paid their fine. In some instances they have been fined 5*s.* in addition to the costs.

912. There is power under the law at present for the justices to do one of three things, to imprison, to abate wages, or to break the contract?—Yes.

913. In cases of breach of contract, which of those three courses is generally adopted?—I am not aware that the magistrates have ordered wages to be abated very often; I have heard tell of it, but I am not prepared to speak to it; they generally send the workmen to gaol, or the matter is compromised by the workmen being made to pay the costs upon condition that they will return to their employment.

914. Has there been an increase or diminution of those cases of late?—There has been a diminution of them of late.

915. To what do you attribute that diminution; is it owing to any change in the system of contract of service?—No; there has been no change in the system of contract of service.

916. What is the system of contract in the mines in your district?—So far as the term of hiring is concerned, it is 28 days, and 14 days.

917. Has that custom prevailed for many years?—It has.

918. Were the periods of service formerly longer than that?—I do not remember; I have been in South Yorkshire about 12 or 14 years, and I do not remember anything longer than a month or less than a fortnight.

919. In South Yorkshire, are your contracts mainly monthly or fortnightly?—There are more fortnightly contracts than monthly; we prefer fortnightly contracts to the monthly contracts.

920. Are there such things in South Yorkshire as minute contracts, as they are called, or contracts by the hour?—No, I am not aware of a single colliery in which such a contract exists.

921. Are you aware that such a system is in operation in Scotland?—I have heard it spoken of.

922. Have you heard it spoken of among the miners, or in communication with Mr. M'Donald and other Scotchmen?—I have not heard Mr. M'Donald speak of it; I have been in Scotland myself, and I have heard men in Scotland speak about it; I have also heard Scotchmen in south Yorkshire speak about it; we have had a few who have left South Yorkshire and gone to Scotland and returned, who have spoken of it.

923. From what you have heard, what is your opinion of that system?—I do not think the miners of South Yorkshire generally have given much attention to that point; as a rule, I do not think that any of us feel anxious or disposed to leave employment at so short a notice as an hour, or a day.

924. That is to say, in the interests of the workmen, you would prefer, you think, to have a fortnightly contract, with liability to those penalties which you have referred to, from breach of contract, than to have a system, such as prevails in Scotland, of contracts by the hour, enabling you to leave at a minute's notice, without incurring any liability to such penalties?—I think the miners of South Yorkshire would prefer having a short notice on both sides.

925. Do you mean a shorter notice than a fortnightly notice?—There is not much discontent about a fortnight's notice among the miners of South Yorkshire; they seem satisfied with a fortnight's notice, but there is a little discontent at a month's hiring.

926. Practically you do not find the grievance of the present system excessive?—No, not excessive; we would rather have fortnightly contracts than monthly contracts; but I do not think the men would prefer being at liberty to leave at a moment's or an hour's notice, they would prefer a fortnight's notice; though a few, who get into bad places, would not mind leaving at a moment's notice.

927. Supposing they had a choice, the present law of master and servant remaining unchanged, between fortnightly contracts and hourly contracts, which do you think they would prefer?—I think they would prefer fortnightly contracts to hourly contracts.

928. What would be the objection to hourly contracts?—The objection to hourly contracts would be this: that, at different times, a great many men would be discharged at a moment's or a day's notice; and such a system would work disadvantageously to the miners, in connection with a practice which is in vogue, which is very objectionable, namely, the clearance system. When a man is discharged, or even when he leaves his employer, he cannot, generally speaking, get employment in collieries in South Yorkshire without taking his clearance from his last employer; and I have seen two sorts of clearances myself: one is where it states on the clearance paper, "So-and-so's services are no longer required at this colliery;" and I have seen others where it says, "So-and-so has legally left our employment." Generally he has a better chance of getting employment under that clearance which says that he has "legally left." That system being generally practised, they would be put to great difficulty if they left without a moment's notice.

929. Where the clearance paper says that he has "legally left" he gets employment?—Sooner than where it says that his "services are no longer required."

930. Is the clearance which says that his "services are no longer required," considered to imply that he had left illegally, and that he had not fulfilled his contract?—Where it says his "services are no longer required," we think it has not so good a sound with it; we have seen employers refuse employment to men bringing with them such clearance notes as I have named.

931. On the termination of a contract, is there a clearance note given as a matter of course in one or other of those forms, or are those papers exceptional?—It does not matter how the man leaves; whether a strike takes place, or whether there is a lock-out, or whether the man feels disposed to leave his employment with the regular fortnight or month's notice, he cannot, as a general rule, get employment in the district without a clearance paper from his last employer. There are a few collieries, perhaps three or four in the whole district, that would take them in without such clearance notes.

932. Men easily get employment in that district?—Yes, that has been the case these last 12 months; trade has been very good. I believe it is good at the present time.

933. In case of a strike, I assume there is no clearance

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clearance given?—In the case of a strike the man goes to another employer and asks for employment, and he tells him he must bring a clearance.

934. Which he would not have got in the case of a strike, I presume?—No.

935. A clearance is only given when a man in the ordinary course of his employment leaves his employment, either for the sake of getting better wages elsewhere, or for the sake of a change of employment?—Just so. I should add, in answer to the preceding question, that the men in some cases get their clearances in cases of strike.

936. As a rule, in cases of strike the man would not get a clearance; but you say in certain cases they do; what sort of cases are those in which they do get their clearance?—Some get clearances and some do not. Men have complained that they could not get their clearance papers; the stewards or managers in the district have said, "If you get your clearance from your last employer, we will employ you," and the clearance has been applied for and refused; and in other cases where the clearances have been given the men could not get employment with them.

937. Is the clearance given at the time of the strike, or subsequently?—Immediately after.

938. When you want employment you come for a clearance in order to get employment in another mine?—Yes, and the clearance has sometimes been refused; and I have known cases where a manager has told a man to bring a clearance and he would set him on, and when he has brought his clearance he has refused to employ him.

939. Do you imagine that, in cases of hourly contracts, there would be greater difficulty in getting those clearances?—I believe it would not answer the purpose of the men so well to have those short contracts; I believe there would be greater difficulty so long as the clearance system was in vogue; I believe it would work more disadvantageously to the men than the system of fortnightly contracts.

940. If a man conducts himself properly, if he works a certain number of days and leaves at the end of the week, not being obliged to give a fortnight's notice, why should he have a difficulty in getting a clearance?—You say, "If the man conducts himself properly," but it is very difficult for a man to conduct himself properly according to the view of the employer.

941. That would apply equally to fortnightly contracts as to weekly contracts or day contracts?—Of course it would; but I have never heard any men say that they would like either hourly contracts or day contracts; they have no objection to fortnightly or weekly contracts.

942. Are you aware whether in Scotland, where the system of hourly contract prevails, there is a corresponding system of clearance papers to that which you have in Yorkshire?—No, I have not heard of any.

943. You have mentioned some cases of hardship which have arisen under the present law; do you think the operation of the law is such as to require a change?—Yes, the miners of South Yorkshire would gladly see a change in the law.

944. Your objection to the law is rather a theoretical one than one arising from any real practical grievance, because you have told us that the cases that arise are few and that they are mostly compromised; and you have stated that you would prefer the present state of the law with fortnightly contracts to an amended state of the law with hourly contracts; therefore, I assume the grievance of which you complain is not a very practical one; is that so?—Even when the case is compromised it is a hardship to be fetched out of bed in the dead of the night; and some of them think it a greater punishment to be compelled to go back to their employment for a month than to go to the House of Correction.

945. As the law stands, a man who has been sent to prison for breach of contract may be compelled to serve the time for which he has contracted, at the end of his term of imprisonment?—I believe so.

946. Have you ever known instances of the law being carried out with that stringency?—I am not aware of any such case in our district among the miners particularly, though I have read of such a case recently; but I have known several who, on coming out of prison, have worked out their notice for fear they might be fetched up again, and I have known others who have gone right away and the employers have not taken any notice of them at all.

947. What changes would you propose in the law?—We think that a breach of contract ought to be treated as a civil offence, that an ordinary summons should be the only machinery for proceeding against the man, and that there should be no imprisonment at all for a man breaking his contract; that it ought to be met by fine, or something of the sort.

948. You consider that the change in the law should be, instead of its being, as it is now, a criminal offence, it should be made a civil offence, and instead of a man being imprisoned for breach of contract he should be fined; in case of his inability to pay the fine how would you deal with him?—I think the common law might step in and do its work; the ordinary machinery of a county court could be put in motion.

949. You would not be averse to imprisonment if it were thought desirable, in case a man were fined for having broken his contract, and the man had no goods whereon a distress might be levied to cover the fine?—I do not think such cases would often happen; it depends a great deal upon the extent of the fine; the cases would be very rare where a man had neither goods nor chattels.

950. You think generally he would have goods enough to meet a fine?—Unless the fine were very heavy.

951. The fine would generally, you think, not be of that amount that a man would be unable to pay it, and in that case there would be no occasion to resort to imprisonment; but supposing he were unable to pay it, you would see no theoretical or other objection perhaps, as a matter of justice or feeling, to imprisonment?—If a man would not pay, after the machinery of the common law had been put in force against him, I do not know that I should have any objection to imprisonment.

952. Should you see any objection to arresting and following his wages, supposing he went into other employment?—If a change in the law were made, so that it were made a civil offence, and the law were made equal between employer and employed, I do not know that we should object to such means being taken for the purpose of compelling the man to pay the fine.

953. Might not cases arise in mines, where a man employed in a responsible position, by leaving that position suddenly without notice, and going

going straight away, would not only render the owner liable to considerable loss, but would throw his fellow workmen out of employment?—Yes; but cases like those the Mining Acts already provide for; the law has now hold of any man placed in a responsible position.

954. Have you the rules of your own colliery?—Yes (*handing them in*).

955. We have had placed before us rules applying to collieries in Scotland, drawn up under the Mines Inspection Act, which, after receiving the sanction of the Secretary of State, become statutory rules; are these which you have handed in similar rules for the guidance of the workpeople in your colliery, which is the Fence Colliery, near Rotherham?—Yes, they are.

956. Those rules you believe to meet all such cases as I have suggested?—Yes.

957. That is to say, any breach under those rules can be immediately punished criminally under the Mines Inspection Act?—Yes.

958. And therefore you think, as regards mines, ample protection is given both to the master and to the fellow workmen against any evils arising from any sudden leaving of work on the part of any workman, and in that respect the law of master and workman is superfluous?—Yes, the special rules provide for those things; I do not think anything is likely to arise that they do not provide for.

959. Are special rules of this character universally adopted throughout the mining districts of Yorkshire?—Yes, there are similar rules adopted in collieries throughout the country; I have seen several in different districts.

960. Mr. *Clive.*] They are posted up in every mine, are not they?—Yes, they are posted up in the mine. When the men come to work at the colliery they have the rules put into their hand, and the bye-laws, that is to say the contract laws, are printed at the end, being sewn up in the same book at the end.

961. *Chairman.*] Are your fortnightly contracts generally verbal or written?—We generally, on our contract, get a copy of the bye-laws made to govern the colliery; it does not matter how many workmen go into the colliery during 12 months or 12 years, the bye-laws, the contract laws, generally remain the same. Coals throughout the district are produced at so much a ton; we do not go and bargain with the employer or contract to do a certain portion of work for so much; the rules of the colliery fix the way in which all the men are paid.

962. Not in one particular colliery only, but through the district?—Yes.

963. There is a fixed rate for the district?—Yes.

964. How is that rate fixed?—It is fixed on so much a ton by the employers.

965. There is an employers' association that fixes the rate of wages for the district?—Yes, that has something to do with the prices paid at the various collieries; still the prices do vary a little in consequence of the variations of the mines.

966. Is that variation the result of a fixed standard, a variation which is established according to the varying circumstances of the different mines by this association, or is each employer at liberty to fix, and does he fix, his own standard irrespective of the association?—Each employer is at liberty to make certain changes in case the work alters: for instance, we have several disputes with respect to the price per ton paid to the men; and some of the employers will say, "I have been round the district and got a list of all the prices, and I find ours is so much more;" and the men will do the same. Sometimes we try to assimilate prices; but we can only assimilate prices by getting at the difficulties in the particular mine: if the difficulties of the mines and the getting of the coal are the same, we can assimilate the prices. In the Barnsley thick bed as low as 10*d.* a ton is paid to the colliers and hurriers, and as high as 1*s.* 2*d.*; the average is 1*s.* 1*d.* Barnsley prices do not vary much; the workman knows by the rules and customs of the colliery that the pay is so much a ton, and he knows that the notice is a fortnight or a month's notice, as the case may be.

967. Have you known cases frequently occur under these statutory rules where engine men or others have suddenly left their work in the cases specified in the rules, and have rendered themselves liable to punishment in consequence of so doing?—I do not remember any case of that description.

968. Cases do not often occur under those rules?—No.

969. What do you consider the most responsible positions in which men can be placed in a mine?—The engine tenter's is a very responsible position; because, as soon as the men get on the pit bank, they put their lives in his hands; the hanger-on at the bottom, who gives signals, the signalman; the fire trier, who examines places to see if they are in a fit state for working; the deputies, and the stewards; those all occupy very responsible positions with reference to the safety of the employer's property and the security of the men's lives; then there are the breaksmen.

970. Those are positions in which men are placed, where, if they absent themselves, or neglect their duty, great loss might occur to the employer, and the workmen might be injured?—Yes, if they neglected their duty, that might be the result.

971. Under those statutory regulations which you say hold good in all mines, with certain variations, coupled with the powers under the Mines Inspection Act, men in those positions failing to perform their duties or deserting their posts would be liable to immediate punishment?—There is some difference between a man deserting his post and not doing his duty: for instance, in the case of the fire-trier absenting himself there would be no injury done to life and limb; there would be a loss of course to the employer, and to the men also. The fire-triers, after they have been round the workings, give a signal to the top for the men to descend; if the signal is not given the men do not descend at all, and if the signal is not given at the proper time, there is some one descends to look where the fireman is. The engine tenter would give notice that such-and-such a man had not descended the shaft the previous evening, or during the night time. Then, again, if the engine tenter was not there, the fire-trier could not get down the pit, and they would have to look after another engine tenter or report it to the manager.

972. Supposing no other engine tenter was at hand?—Our pits are so numerous in South Yorkshire that there would be no difficulty in getting another engine tenter; there are generally two or three about the place that could take hold of the engine.

973. Supposing a place where there was a difficulty

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difficulty in getting an engine tenter, and the engine tenter had absented himself; in that case the mine must stop, the men would not be able to get up or down till another man was got?—They might be stopped for a day.

974. During that day the men would be either confined below, or they would be unable to go below, depending upon whether they were below or above when the engine tenter left?—I do not remember any case in which the engine tenter has run off after letting them down into the pit.

975. To the best of your belief, the special regulations which are in force under the 23 & 24 Vict., for the regulation and inspection of mines, 28th August 1860, are sufficient to give protection to the men employed in the mine, and to secure the masters against loss, as far as it is possible to do so by law, from neglect of duty on the part of any man in a responsible position, or from his absenting himself suddenly from his work?—I have already answered that; I believe that the special rules do provide punishment for anyone who is in a responsible position; but I think your question had this in it, that they were "satisfactory;" I cannot say that the special laws are satisfactory for the men; they are not.

976. The word I used was "sufficient," not "satisfactory"?—I think they are sufficient, so far as keeping the responsible men to their duty. If they neglect their duty, the punishment is sufficient as far as that is concerned.

977. So far as regards mines, you think in those respects the power of having the men imprisoned for breach of contract under the Master and Servant Act is unnecessary?—I believe so.

978. Objection has been taken before this Committee to the jurisdiction in these cases that arise under the law of master and servant; do you take any objection to the jurisdiction of the magistrates in such cases?—So far as we are concerned in South Yorkshire, we would much rather have the stipendiary magistrate, and we would rather that he tried those cases. We generally find in county court cases we are better dealt with; we think more justice is done in the county court in our neighbourhood than in the magistrates' court; most of our magistrates in Barnsley are employers of labour.

979. Can you state positively that there is a failure of justice at present in such cases?—There is great discontent about it; on several occasions we have had convictions that we have thought very severe, and more severe than was necessary; and it has generally been said that it is on account of their being employers of labour. I have seen cases go before the bench from a colliery, where the owner has been a magistrate himself, and I have seen him retire from the bench while the case has been on, leaving the other magistrates to deal with the case.

980. Were the other magistrates coalowners?—No, not in those cases I am referring to; they were linen or cotton manufacturers; one was a clergyman.

981. I first asked you whether your objection to the jurisdiction arose from a failure of justice, and you said that you thought the cases were too severely dealt with; do you attribute those cases being too severely dealt with, to ignorance of the law on the part of those who administer it, or is it your belief, and the belief of those whom you represent, that those persons so administering the law have their sympathies with the prosecutor and not with the defendant?—That is what we feel.

982. It is on that account you wish the law altered, and the jurisdiction in those cases referred to some stipendiary magistrate or a county court judge?—Yes, that is the opinion of the men.

983. And this sympathy that you have referred to on the part of employers on the bench, with another employer who is prosecuting, does not, if I understand you rightly, occur in cases of employers in the same description of work; that is to say, those cases which you complain of, which were mining cases, were not adjudicated by employers of mining labour?—No; but they were employers of other labour.

984. So that your objection is not to the same description of employers adjudicating in such cases, but to any employer adjudicating on any case where labour is concerned?—An independent magistrate on the bench would deal more fairly with the cases.

985. Your principle would do away with justices' justice altogether?—Yes, for those cases of breach of contract.

986. Mr. *Algernon Egerton.*] Did I rightly understand you to say that you considered the present state of the law under the Mines Regulation and Inspection Act unsatisfactory?—We require an alteration in the special rules, so far as the miners' side of the question is concerned.

987. What is that alteration?—We think we ought to have a voice, in the first place, in making the rules. Some one ought to represent the miners before the rules became law; they are framed behind the backs of the miners, and the practice is to hang them up 14 days, but there are hundreds of miners who never see them, and there are hundreds who could not read them if they did see them; they are hung up, the miners not knowing anything about them, and they are sent to the Secretary of State, and then become law. Then, in some instances, they infringe upon the general rules under the Act itself. We wish to have many of them, in fact, amended, and an equality established between the employers and ourselves.

988. Have there been any cases in which your association has represented that the rules of the pit are an infringement of the Mines Inspection Act?—The special rules are, in some instances, as we believe, an infringement of the Act.

989. Have your association taken any action upon that belief?—We have put it before the Committee on Mines, that we object to the way of framing them, and that we think they infringe upon the general rules. It is a point of law; and we think they ought to be thoroughly examined by some one who understands the Act itself, to see that they do not infringe upon the general rules.

990. As to the mode in which colliers are paid in your district; I believe in South Lancashire their pay varies according as the price of coal varies; that is to say, if the price of coal goes up the miner is paid more; is that the case in South Yorkshire?—No, it is not the case in South Yorkshire.

991. There is a fixed system of wages there?—The markets have very little to do with the rate of wages in South Yorkshire. We have only asked for one advance on the ground of the commodity being high in the market; that was about Christmas, and we got an advance of 5 per cent. That was not altogether on account of the commodity

commodity being up in the market, but on account of labour being scarce, for one thing.

992. The price of coal has some influence upon the price of labour?—Yes; but it has not regulated it so much as we should like.

993. Not so much in your case as in the case of South Lancashire?—No.

994. Mr. *M'Lagan.*] Do the masters provide houses for the miners in South Yorkshire?—A great many houses are provided by the masters, and very good houses, too.

995. How do the miners pay for those houses?—The rent is stopped at the office.

996. That being so, would it not be very inconvenient to have shorter notices than a fortnight, because, if a miner were put out of his house, he would have a difficulty in getting one elsewhere?—Whether the employer gives the man notice, or the man gives the employer notice, it is generally the case, when the notice expires, that he has to leave his house; a week or a fortnight's notice gives him time to look out for another house.

997. That is a strong reason why minute or hourly contracts would not be approved of, is it not?—Hourly or daily contracts never come under our notice at all; I am not prepared to speak to them.

998. You think the miners in your district would not approve of them?—The miners of South Yorkshire think a week or a fortnight's notice most satisfactory. The mines of Scotland are quite different to English mines; I do not know how the South Yorkshire miners would take the system of minute contracts; it has never been put before them.

999. Seeing that houses are provided as part of the wages of the men, would not it be for the advantage of men to have fortnightly or monthly warnings or notices?—Where houses are provided the men would rather have a fortnight's notice than a month's notice.

1000. Because they could easily get houses elsewhere, you think?—There is no difficulty in getting houses in South Yorkshire; there are a great many houses all over the country.

1001. In a district where there was a scarcity of houses, a month's notice would be certainly better for the men, would it not?—No; there would be the same scarcity at the end of the month as there would be at the end of the fortnight.

1002. There would be more time to look about in a month, would there not?—I think a fortnightly notice is quite long enough for both sides; it would give each time to look about.

1003. I understand you to say that you do not approve of miners being prosecuted criminally under the Master and Servant Act for breach of contract?—No; we have not the same power in many instances that the employer has; he can dismiss us, according to his bye-laws, under many circumstances, at a moment's notice, and that is a great hardship; he makes out this or the other to be a disobedience of orders, which when he goes before the court is the plea which he raises in answer to the complaint that he has turned us away without notice. All the action we have been able to take in South Yorkshire has been to sue the master for a fortnight's wages in the county court; and when we have so sued him in the county court he has set up half-a-dozen excuses why he has dismissed us without notice; and he has said it was for disobedience of orders, or something of that sort, and that has a tendency to defeat the ends of the man recovering his wages; we want the law made equal.

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1004. Is not it the case that a servant can leave without warning if the master has commanded him to do work which he has not engaged to do?—Yes, if an employer breaks a contract and that can be fairly proved, the man can leave; we have had several cases of that description where a contract has been broken by the master and the man has left, no action being taken against him.

1005. Supposing a man was prosecuted civilly for breach of contract, and he was condemned to pay a penalty for that, and he could not pay it, would you approve of the master seizing his furniture and selling it in preference to his following the man's wages at another mine?—I do not think it would be right to arrest his wages in another service.

1006. Supposing he had not sufficient furniture to pay the fine, you would not object to the master imprisoning the man for debt?—If the fine was not paid it would be a debt, and I think I have already stated that the county court machinery ought to be put in motion to enforce the payment of that debt.

1007. Supposing a man was breaking his contract by leaving his work, and by his leaving his work injury was done to his fellow workmen, he would be prosecuted under the Mines Regulation and Inspection Act, would he not?—Yes.

1008. He would be prosecuted criminally?—Yes; I believe the Act provides for that.

1009. And under the Master and Servant Act he would be prosecuted criminally also at present?—Yes.

1010. You think the Act should be altered so far that he should only be prosecuted civilly?—Yes.

1011. But supposing the Master and Servant Act was so altered that no criminal prosecution could be instituted under it, that man would still be liable to be prosecuted criminally under the Mines Inspection Act?—I think in all such cases, when a change is made, the Act should provide that if proceedings be taken they should only be taken under one Act, and not under both. I should think it a hard case if, after I had been summoned and paid a fine, I were to be proceeded against criminally under the special or general rules.

1012. You would have no objection to a master having it in his power to prosecute either under the Master and Servant Act or under the Mines Regulation and Inspection Act; if you did away with the criminal prosecution under the Master and Servant Act, would you be for making any alteration in the Mines Regulation and Inspection Act?—If the employer had the power to bring an action against the man, under the altered law of master and servant, and then had the power to proceed also against him criminally, under the Mines Regulation and Inspection Act, there would be an objection to that, I am sure.

1013. Supposing he preferred to proceed criminally under the Mines Regulation and Inspection Act, and left the other alone altogether?—I do not think we could alter the Mines Regulation and Inspection Act; that does not so much relate to contract between master and servant, it is more as to the safety of the men; it does not interfere with contracts, it only refers to absence and neglect of duty.

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1014. Take a case where a breach of contract is caused by a man being absent, and the master, instead of proceeding for the breach of contract, says, "This man is absent from his service, and I prosecute him under the Mines Regulation Inspection Act," the master having the power, though the criminal procedure under the Master and Servant Act were abolished, to prosecute the man under the Mines Regulation and Inspection Act?—I should have no objection to there being a power to prosecute criminally, under the Mines Regulation and Inspection Act, people who by a neglect of duty endangered life and property; because it would be a serious matter, for instance, for a fireman to be absent from his duty; he should consider what he is putting himself under when he takes such a position.

1015. You think he should not escape a criminal prosecution, even though the Master and Servant Act were altered?—No.

1016. Mr. *George.*] Is there a distinction under the Mines Regulation Act between acts of a civil nature and acts of a criminal nature, as between master and servant; are there some acts under it that are treated merely as breaches of a civil contract, and other specified acts that are considered to be of a criminal nature, and dealt with accordingly?—I believe the Act makes provision for both; I believe the magistrates have power to deal with them, either criminally or civilly; many a case is brought up where a man is fined a couple of pounds, and many a case where he is sent to prison for a breach of those special or general rules.

1017. The Mining Act specifies the particular acts that the magistrate is at liberty to treat as criminal offences?—As I understand it, he can treat them either way. The Mines Inspection Act says, "fined or otherwise punished," and it is at the option of the magistrate which way the man is punished.

1018. Is there not a certain class of cases, under the Mines Regulation and Inspection Act, with which the magistrate has no power to deal criminally, but which he has to deal with as matters of civil contract only?—I do not know that there is anything in the general rules relating to wages at all, and I do not believe there is anything that is pointed at as being a criminal or a civil offence.

1019. Is the proceeding on the part of the master against the servant, under the Mines Inspection Act, at all times of a criminal nature; does it commence by warrant or by summons?—It is generally commenced by summons.

1020. Is that under the terms of the Act?—Yes, and I believe they could fetch him by a warrant if he absconded.

1021. In any of those cases specified in the Mines Inspection Act that are in the nature of a criminal offence, is it the practice to issue a warrant in the first instance?—No.

1022. Not for any of those cases specified as of a criminal nature in those rules?—I am not aware that it is. All the breaches of the general rules that I have seen committed have been proceeded against by summons.

1023. Do they ever proceed by warrant in the first instance under the Mines Inspection Act?—I do not know that they do; I have never seen any necessity for it. In the cases of men in responsible positions, the summons has been sufficient to bring the man before the magistrates, and the magistrates, though he has been brought up by summons, have dealt with the case criminally.

1024. Does not the Mines Inspection Act specify cases of a man abandoning his work, by which irreparable damage might be done to the mine, or to the people employed in it?—Yes.

1025. In those cases, would the proceeding by the master against the servant be criminal or civil?—Either way.

1026. If a man abandoned his work at the mouth of the mine, and thereby endangered the lives of other people, or endangered property in the mine, would the master be at liberty, for that neglect of duty on the part of the man, to have a warrant issued against him?—I do not know whether the Act points out that the warrant shall be issued, but there is generally a summons issued against him.

1027. Would a man who abandoned the engine at the mouth of the mine, and thereby did great damage, be proceeded against merely by summons?—I have never known such cases to take place in our district, but I believe in such cases a warrant would be issued; all the cases I have seen have been cases of ordinary summons.

1028. Do I rightly understand your evidence to be this: that whether the acts done by the workman be in the nature of a breach of civil contract, or in the nature of a criminal offence, such as I have been describing, the practice is always to issue a summons against the workman in the first instance?—All those cases have come under an ordinary summons; I have not seen one that I remember where the man has been fetched up by warrant.

1029. The practice is to deal with the matter by summons, under the Mines Inspection and Regulation Act, but when the defendant in that summons is brought before the magistrate the magistrate decides whether it is a civil or criminal matter, and he either gives a pecuniary penalty or inflicts imprisonment if it is in the nature of a criminal offence?—Yes, just as the nature of the case may be.

1030. Mr. *Potter.*] What number of workmen do you represent?—Five thousand belonging to the association that I represent; there are more than 5,000 in the district; there are 10,000 in the district.

1031. Are those all adults?—Yes.

1032. What are the average wages?—It is very difficult to get at the men's wages; the nearest average we can come to is about 24 *s.* to 27 *s.* a-week.

1033. What are the average weekly rents they pay for the cottages you refer to?—At the Wombwell Main, belonging to Messrs. Bartholomew & Baxter, they charge 3 *s.* a-week for coal and house-rent, and they are very good houses: they have good gardens too.

1034. *Chairman.*] That is in a rural district?—Yes; about 2*s.* 6*d.* a-week generally.

1035. Mr. *Potter.*] Would you reckon the coal to be worth 6*d.* a-week?—In some cases they pay them 6*d.* or 9*d.* instead of allowing them coal.

1036. We may take the house as 2*s.* 6*d.* and the coals at 6*d.*?—Yes.

1037. Mr. *Clive.*] You have been giving evidence before the Mines Committee?—Yes.

1038. You have heard most of the evidence given before that Committee?—I have heard a good deal of it.

1039. Have you ever heard any objection taken

taken to this imprisonment clause in the Mines Inspection Act?—No.

1040. You do not object to it at all?—I do not.

1041. But you object to the imprisonment under the Master and Servant Act?—Yes.

1042. Do you object to the imprisonment itself, or do you object to the criminal character of the proceeding?—I object to both.

1043. You object more to its commencement by warrant; but you object to it altogether as a criminal proceeding?—Yes.

1044. Should you object to it as a criminal proceeding if the case were tried before a stipendiary magistrate?—I think that there ought not to be any imprisonment about it at all.

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1045. Are you acquainted with the imprisonment that is the consequence of a refusal to pay under the County Court Act; do you know how slight it is?—I think the outside, I have heard, is 40 days.

1046. You are aware that that can only be inflicted in certain specified cases?—Only in certain cases.

1047. To that you would submit willingly?—Yes; I think it ought to take the common law course.

1048. Leaving it to the master, who had contracted with a workman who turned out to be insolvent, to take his chance like any other creditor?—Yes.

Mr. Charles Williams, called in; and Examined.

1049. *Chairman.*] I believe you are Secretary to the Trades of Liverpool?—Yes, the United Trades Protection Association; and I am likewise General Secretary of the National Association of Operative Plasterers.

1050. What are you yourself by trade?—A plasterer.

1051. You have been a working plasterer yourself?—Yes, I went through all the grades.

1052. Are you now yourself an employer of labour?—No, I am now employed by the association.

1053. Have you been in communication at all with the Glasgow committee with reference to this movement, for bringing about an alteration in the law of master and servant?—Yes.

1054. Were you present, representing your association, at a meeting that was held for the purpose of taking steps with a view to procuring an alteration in this law?—I was.

1055. Where was that meeting held?—In London.

1056. That was a meeting of representatives from the United Kingdom?—Yes.

1057. It was not a meeting of the London trades only?—No.

1058. At that meeting action in the matter was intrusted to the Glasgow Executive Committtee?—It was.

1059. And since then there has been no further meeting of the different representatives, has there?—No, not collectively; though we have agitated the question in various towns.

1060. Locally?—Locally.

1061. The object of that general meeting, and the appointment of that executive committee in Glasgow, was to obtain some alteration in the law, was it not?—Yes, to amend the law.

1062. Wherein do you consider the law at present to require amendment?—We object to its being a criminal proceeding; we think it unjust that the same mode of proceeding is not applied to the employer as to the operative.

1063. You think the law at present unequal, and you wish it to be made the same in the case of the servant as in the case of the master?—Yes, and we are cognisant of this, that the very same Act was sent to the Indies, and it was then countermanded; I have understood that from an Honourable Member of the House.

1064. You do not speak to that from your own knowledge?—No.

1065. You object to the law on account of its inequality; is that your only objection, or do you consider it a harsh law as well?—Yes; I object to it as a bad law that wants remedying.

1066. Do cases of hardship very often occur under it?—Yes.

Mr. *C. Williams.*

1067. Are you able to give any cases which have occurred in your own trade?—I will give you a case in point, which will, I think, show that the employers can use the law to their own advantage where the workman would have no chance whatever. Some time ago we had a dispute in Leeds with an employer, two men left their employment.

1068. In what trade was this?—In the plastering trade. Those two men left their employment, and the employer said, "Why will not you work"; they said, "Why, there is something in your employment we do not like"; this was, that a man was employed that had not been very honest to the society, and they had turned him out of the society, or he had left. The result was this, when the employer found he could not prosecute those two men under the Combination Act, he took them under the Master and Servant Act, and they were committed to prison for one month. We appealed against it, costing us a considerable amount of money, and the decision was confirmed at Quarter Sessions.

1069. Before whom was that case tried; before a justice or a stipendiary magistrate?—A justice. Another case was this; on the 26th of September a lot of employers went up into North Staffordshire, there having been a dispute in Liverpool, relative to an engagement by the hour, and they engaged 16 men and brought them to Liverpool out of Staffordshire, the employers not informing them that there was any dispute (according to the evidence that was given in the police court) existing; when the men arrived in Liverpool, and saw the state of things, and refused to implement their contract, they were taken before Mr. Raffles, the stipendiary magistrate; counsel were engaged, and, when the contract was shown, it was found that the operatives only had signed it and not the employers. Those men suffered something like about 18 hours' imprisonment.

1070. Mr. *Algernon Egerton.*] Till the case was tried?—Yes, this is the form of contract (*handing it in*).

1071. *Chairman.*] In consequence of this not having been signed by the masters the men got off?—Yes.

1072. If it had been signed by the master, should you still consider it right that the men should have got off?—If they had been punished I should consider that they would have been very unjustly punished; for this reason, the employers led them to infer that there was no dispute be-

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tween them and their operatives it was a kind of decoy.

1073. You think that they were brought there not knowing all the circumstances of the case, and that they ought to have been told before they entered into any contract?—Yes.

1074. You think that the law ought to be amended. What change would you propose in the law?—To abolish the criminal procedure.

1075. You are conversant with all the trades in Liverpool, as secretary to the General Trades Society; in what trades do those cases mostly arise?—I think they are more frequent amongst the cabinet makers. The brick makers are subject at times to them.

1076. Cases most frequently arise amongst the cabinet makers; to what do you attribute cases more frequently occurring in that trade than any other?—It has occurred through a book of prices that there has been a great deal of bother about; what they call the London book of prices; which, I am happy to say, is done away with at Liverpool, so that we shall have peace there with them for a time.

1077. It was that which led to the disputes between master and servant?—Yes.

1078. They broke their contracts and were prosecuted?—Yes.

1079. What annual average number of cases have you known under the law as at present?—There would be above 30 in the whole of the trades of Liverpool. In the iron workers, for instance, I have known as many as 16 or 18 cases nearly following one another.

1080. How many cases annually occur under this Act that you have a knowledge of in Liverpool; on the average, would there be 20?—I should say there would be over that number.

1081. In your own special trade throughout the kingdom, how many would there be?—About 30.

1082. Does that embrace Scotland?—Yes, and Wales.

1083. Not Ireland?—No.

1084. How many members are there in your association?—About 15,000.

1085. How many plasterers do you suppose there are in the United Kingdom?—I should say there would be from 25,000 to 30,000; that is an approximation.

1086. Do those 30 cases occur in the 15,000 who are members of the association, or in the whole trade?—In the aggregate.

1087. Is there a tendency to an increase or a decrease of cases under the law?—As regards my own trade they are more on the increase than the decrease, for this reason: I believe that the employers were not aware how far they could stretch the Act till the agitation came on.

1088. What agitation?—For a change in the law of master and servant.

1089. That agitation has shown the masters what the law really is, and they are straining it?—Yes.

1090. How do you prove that; by there being more cases in 1865 than in 1864?—Yes; in my own particular trade, and likewise, I may say, in the whole of the building trade.

1091. You are secretary of the trades of Liverpool; what are the trades that belong to the Liverpool Trades Association?—The building trades, shipwrights, cabinet makers, polishers, and 16 or 17 other trades.

1092. The trade in which cases most frequently arise is that of the cabinet makers?—There is much more magisterial interference in that than in any other I know of, with the exception of the iron workers.

1093. Would you propose any substitute in the law?—I would submit that the criminal procedure should be done away with, and that the process should become civil, or that, if that could not be done, the employers should be subject to the same procedure as the operative; we look at it in that light.

1094. That is, that warrants should issue against the employer as well as against the employed?—Yes.

1095. You would like to see a change in the law, making the procedure civil instead of criminal; would you accompany that change in the law with any exceptions; are there any cases in any trades with which you are conversant where it would be necessary to make exceptions, in the cases of men in responsible positions suddenly leaving their posts, thereby entailing loss upon the employer, and injury to the fellow workmen?—I would not object to that; but I should object to the employer assessing the amount of damages incurred, because, in the largest firms that I am acquainted with, the most responsible party is very often dismissed without any notice whatever; sometimes in an hour, sometimes in a day.

1096. In your own business, what term of contracts do the men mostly enter into?—As a general rule, it is by the day.

1097. If that is the rule, there can be none of these breaches of contract, can there?—Yes; the masters take advantage of it, thus: we engage at so much per week, and if we do not fulfil the week's contract, in a great many towns they refuse to pay us.

1098. Then it is a weekly contract?—Yes, in a great many towns; in some towns it is by the hour; in London, for instance, they engage by the hour, and they are paid by the hour.

1099. In London, therefore, no cases arise under the Act, I presume?—Yes, it was ruled the other week that the payment by the hour would not be recognized; that it must be by the day.

1100. Mr. *Algernon Egerton.*] Where was that ruled?—I think it was in Bow-street court.

1101. *Chairman.*] Was that recently?—About a fortnight ago.

1102. What was the result of that trial?—The presiding magistrate gave the party applying a day; he did not recognize the hour's payment, but held that it must be by the day.

1103. Was that for breach of contract or for payment of wages?—For payment of wages; it was a breach of contract, because the employer refused to pay the man for the day's work he had contracted to perform; wet came on, and he went to do some work inside.

1104. In those other trades of Liverpool, generally speaking, what is the period of contract?—It is very nearly all weekly, with the exception of the forge workers.

1105. What is their period?—14 days; there is a case now at the Mersey Steel Works, where there is a dispute, and they are going to take the case into court to try the question; when a man is engaged at the Mersey Iron and Steel Works he is supplied with a code of rules, the notice to leave being seven or 14 days' notice. There has been a little turmoil there, and instead of Mr. Clay, the manager, giving them notice, he posts a notice

notice on the wall to say that all those who belong to unions are to leave at a certain date. The men want the same notice as he would require, and hence the application to the court.

1106. Supposing such a change in the law to be made, as you propose, that is to say, that the procedure should be civil and no longer criminal, would you, in the event of a man being fined, object to imprisonment where he had no effects?—In the event of a fine being inflicted for not implementing a contract, and there were no goods, I would suggest that the same procedure should be adopted as for all other debts.

1107. Would you see any objection to a power of arresting and following wages in lieu of selling the man up, that is to say, that there should be the alternative?—I should not object, providing a discretionary power was given, but I should object to a power being given to take the whole of a man's wages.

1108. I mean a portion; supposing a fine were inflicted upon you, which would you yourself prefer, if you had no other means of payment, and the choice lay between you having your household furniture sold, or your wages being arrested, and a certain portion being weekly deducted till the amount was paid?—I would prefer liberty.

1109. And the arrestment of wages?—Yes.

1110. To being sold up?—Yes.

1111. In each case you would be free?—Yes.

1112. You greatly would prefer freedom with your household furniture untouched?—A great deal. I think that would be the expression of feeling of the whole of the operatives.

1113. You think that they would have no objection to the arresting of their wages?—No, where the fine was inflicted justly.

1114. And where the amount arrested was not too great in proportion to the wages received?—Yes.

1115. Is there any other point which you wish to speak to?—No more than this; that we hope that we shall be successful in taking the criminal procedure away; but, if that is not abolished, we shall have the same liberty as the employers have. More particularly in the building trades we have mushroom employers, and they get hold of our money, and run away with it, and we cannot imprison them; we can only put them in the county court.

1116. That is to say, they get your labour without paying you for it?—Yes; and they get the money of their employers. All that we can do is to wait till we can see them and put them in the county court. There are instances upon instances where they run away, and the men go on working, not being cognizant of the fact of their being away, and then, when they go to look, perhaps the sheriff's officers are in, or the establishment is closed up. There are many instances of that.

1117. Alderman *Salomons.*] Did you thoroughly understand the Chairman's question, whether you would have any objection, if you went away from your employment, to your employer following you, and impounding your wages. Do you think that is better than being sold up?—Yes.

1118. As to those mushroom employers, those mushroom employers only undertake a low class of buildings, do they not?—Some of the largest buildings we have are undertaken by those sub-contractors.

1119. What would you do with those mushroom people who went away in your debt, having taken the money of the men who employed them?—Whenever we reach them we put them into the county court.

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1120. Supposing they were bankrupt?—That would be the same as the operative not implementing his contract.

1121. The operative not completing his contract, you follow his labour, and take the money his labour produces elsewhere, but he cannot go bankrupt: those men go bankrupt, and you lose all your wages; would you be satisfied with that state of things, or would you put them in prison as they would put you in prison?—Yes, I would. If the law was not amended, so that the criminal procedure was taken away, I would give to the operative, as against the employer, the same power as the employer has as against the operative.

1122. You would say to the builder you would follow his capital in the same way as he would follow your wages?—Yes.

1123. That would be the way to make it equal?—Yes.

1124. If your future labour is to be pledged for the purpose of paying your former master, should not those musbroom people who get clear by the Bankruptcy Court, have their capital pledged in the same way for you to get back your money?—When I made use of the word "mushroom," I did not mean that those gentlemen very often took the benefit of the Bankruptcy Court; there have been only about three or four instances, that I have known of, that they have done so; they go away entirely, we see no more of them, we may hear of them; but, as to following them, it would be throwing good money after that which was lost.

1125. A mechanic might go away, and do the same thing?—Yes; we want the law to be equal.

1126. By the law of England, now, you cannot follow wages?—No.

1127. But they can in Scotland?—Yes, they can impound wages in Scotland.

1128. Would you like the law of England to be assimilated to that of Scotland?—In cases of breach of contract, I would.

1129. Mr. *George.*] Is it a common practice for work to be undertaken by sub-contractors?—Yes.

1130. The complaints of work people against their employers are, I presume, much more frequent as between the workmen and those sub-contractors than between the workmen and the principal contractors?—As a rule.

1131. Are there many cases where the contract is direct between the person who undertakes the work and the workman?—Yes, a great many cases.

1132. You do not find so many complaints in proportion in cases where the work is undertaken by the head master as where the work is undertaken by sub-contractors?—No, not nearly so many.

1133. I understand your main grievance to be, that you think the proceeding as between master and servant on both sides ought to be treated as of a civil nature?—Yes, I do.

1334. The proceeding to be commenced by summons in every instance, and not as against the workman by warrant?—Yes.

1135. In the case you put of proceeding in the

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the county court against those mushroom employers, do not you get the judgment of the court against them. If you process one of those sub-contractors in the county court, or in whatever court you proceed against them, do not you get the judgment of that court against them?—Yes.

1136. Cannot you follow that out either by seizing their property, if they have any, or their person, if you can get hold of them?—Yes; but we find a great evil in this respect; the operative has not cash to expend in such a procedure, and those employers may not have capital, or goods, or chattels to proceed against. We could imprison them; but what satisfaction is that to us, only the satisfaction of revenge.

1137. If a man violates his contract, and you get the judgment of a court against him, and you take all his property, and take his person if you can get hold of it, what more can you do?—See the time that must elapse. For instance, if an employer were not to pay me, and I put him in the county court, I might have to wait 14 or 21 days, as the case may be.

1138. What do you propose to do, then?—I would propose to do the same with him as he would do with me.

1139. Do you mean you would issue a warrant against him to make him pay you?—Yes.

1140. Did not you say that you would prefer that a breach of contract should be treated as a civil matter between both parties?—Yes.

1141. You would not wish a warrant to be issued against you for absenting yourself for a day, and thereby injuring the master to the amount of a day's wages?—If the law cannot be so altered as that the procedure should be made a civil procedure, I then ask for the same power for the operative as the employer has on the operative; but if the law can be so amended that it shall become a civil process against both parties, then I am quite satisfied.

1142. Then if you, as a workman, made an agreement with a sub-contractor or a master, and he violated it, and you sued him in the county court, and got a decree of that court against him, you would be satisfied to take his property, if he had any, and if he had none that you should have his person and commit him to gaol; is not that precisely the same course that is taken by the master against the workman, except as to the form of doing it, viz., by warrant instead of by the other mode?—That is the summary procedure.

1143. Under the Master and Servant Act is not there a power to inflict a civil penalty, to fine the man a certain amount, and to levy that off his goods, if he has any, and if not that he should be committed to gaol in default of payment?—I have never known either stipendiary magistrates or any local magistrates inflict a fine.

1144. What do they do?—They always commit them to prison.

1145. In every instance?—As far as my knowledge goes.

1146. Do not they fine the man a certain amount?—No, they imprison him.

1147. Under the 4th of George the 4th, is not there full power to treat the matter civilly by fining the man 40 *s.*, and if the man pays that fine he is not imprisoned?—It depends entirely, I think, upon the prosecutor whether he will agree to the man being fined.

1148. Has not the magistrate power to say, I fine you 40 *s.*, and if that fine is paid, does not the man go free?—I believe there is not that power.

1149. Are you of opinion that under the Master and Servant Act, the 4th of George the 4th, the magistrates must necessarily commit the workman to gaol instead of inflicting a fine?—If the pursuer requests that the man shall be sent to prison, there is no alternative, I think.

1150. Are you not aware that under the Act, the 4th of George the 4th, the magistrate has full discretion to fine him?—Yes, under that Act, but I do not know that that Act rescinds and annuls all other Acts.

1151. Mr. *Clive.*] You state that you are quite ready to undergo the common process of law in these cases; are you not making some little confusion between a fine and a debt; the ordinary process of law would be merely in relation to a debt; you would be sued or you would sue in the county court for the debt?—I understand that by not implementing the contract we produce a certain loss to the employer, consequently that becomes a debt.

1152. If there is a fine the alternative is imprisonment, but what you want is the common process for debt in the county court; and you are willing that there should be imprisonment if that debt is not paid under the terms of the County Court Act?—Yes, or the impounding of the wages.

1153. Ordering weekly payments?—Yes, the same as in the county court process.

1154. And without a fine at all, or any proceeding before magistrates?—Yes.

1155. Are you aware of any power that you have to imprison your master?—I do not know of any without it is by civil process.

1156. You do not know of any process by which you can take him before a magistrate?—No, not any relative to breach of contract.

1157. You never heard of a case?—No.

1158. *Chairman.*] Is there a very strong feeling upon the subject of the desirability of a change in the law?—Yes, there is, all through Lancashire.

1159. Was the question of a change in the law long agitated before steps were taken for the formation of an executive committee upon the subject?—Yes, for six or nine months previous to the meeting in London.

1160. Did that agitation in favour of a change in the law arise from any extreme cases that occurred at that time?—Yes, there were two or three special cases.

1161. Which called special attention to the working of the Act?—Yes; the case of Middlesborough, and the case of Glasgow, and the case of the Mersey Steel Works, and two or three other cases.

1162. Mr. *Potter.*] You state that there is a very strong feeling all through Lancashire upon this subject; do you represent at all any of the cotton trades of Lancashire?—No; but the whole of the building trades.

1163. In making use of the term Lancashire, you do not allude to the cotton trades at all?—I do not represent the cotton trades at all; I only represent the United Trades Protection Association of Liverpool, and the National Association of my own trade.

1164. But not any of the unions connected with the cotton trade?—No.

1165. Mr. *Clive.*] Have you any objection in Liverpool to the magistrates themselves?—We have in Liverpool a few magistrates that are extensive

tensive employers; and they may be seen on the bench at times adjudicating upon questions of labour, they being most interested in it; but we have no objection whatever to the stipendiary magistrate or to the gentlemen magistrates there.

1166. Those magistrates of whom you speak, who are employers, sit with the stipendiary magistrate, do not they? — Sometimes, but not regularly; there are two courts.

1167. Do they ever adjudicate alone in those cases?—Yes.

1168. Have you ever heard an appeal made to them not to decide those cases, but to let them go before the stipendiary magistrate?—Not on breaches of contract, but in other cases I have; in other cases connected with trades.

1169. Have they tried such cases after such requests?—No, I am not aware that they have. Mr. *C. Williams.*

1170. Does not the stipendiary magistrate sit every day?—Yes, but there are two courts. 1 June 1866.

1171. There are two stipendiary magistrates, are there not?—No, there is only one stipendiary magistrate.

1172. There is one stipendiary magistrate court open every day?—Yes, the two courts are open, both in the same building.

1173. There is a stipendiary magistrate sitting every day, or his deputy?—Yes.

1174. Mr. Alderman *Salomons.*] You made use of the word "gentlemen" magistrates; you mean men not engaged in business?—Yes, I mean men not connected with manufactures.

Mr. Thomas Winters, called in; and Examined.

1175. *Chairman.*] You are Manager of a Working Man's Benefit Society, and you have on some occasions given evidence before Committees of this House on the relations of masters and workmen, and you have turned your attention to the law of master and servant, which we are considering here?—Yes. Mr. *T. Winters.*

1176. Have you been present during the examination of any of the witnesses who have been examined before this Committee? — I was not aware till this morning that the Committee was sitting at all, so that the only evidence I have heard has been that of the two last witnesses.

1177. The Committee would be glad to hear any suggestion you have to make with reference to the present law?—My own views upon the law of contract are that it requires some considerable amendment. In the first place, with respect to the words which appear in Section 3: "Whether such contract shall be in writing or not in writing." When I was secretary of a very large association of working men, and connected with trades matters, we had several cases under this Act to attend to, and some of them were cases of this sort. A master in the tin-plate working trade would have three kinds of agreements; one was, "I will give you such wages as are given for making a certain description of goods." In another agreement in the same manufactory, he says, "I will give you the same prices for making the goods as are given by Mr. So-and-So in the same town." In others, "I will give the same wages as are given to the other workmen in my manufactory." We always found when a cases came before a magistrate that it was very difficult to comprehend what the real agreement was; and then, in the second place, it very often turned out, where there was a case pending as to a contract before the magistrates, that those contracts were very often said to be lost, and the proof of the contract depended only on parol evidence. Then came a great difficulty in ascertaining what was the nature of the contract. Upon that point my own opinion has been for some years that the law requires some amendment, and that all contracts should be in writing. In many cases the workmen lost a great deal because they were not in writing and produced in court. And I think a very advantageous amendment of the law might be made by requiring in all cases a duplicate of the contract which the master and servant have entered into. I do not object to contracts myself, providing they are properly known to both parties.

1178. You think that all contracts should be in writing?—Yes. Then the next point I should like to speak to is that a great number of contracts lack mutuality; they ought to be made mutual. For instance, I will take the district of Wolverhampton, where it was the custom, in the tin-plate trade particularly, but in other trades also, and it is the custom now to enter into a contract, say, for 12 months certain, but while the contract stipulates that the master is at liberty to get rid of that contract by giving the workman a month's notice, it stipulates that the workman shall not get rid of that contract except by giving six month's notice; and although a workman may have been in service for six years upon a one year's agreement, it is held good in law until the proper notice is given and worked out. In a case before the Wolverhampton Justices, Perry *v.* Haynes, the defendant had worked eight years under a one year's agreement, but had failed to give notice, and upon his absenting himself from work he was sentenced to 21 days' imprisonment in Stafford gaol. Several of these cases were tried before the magistrates, and counsel's opinion was taken upon the validity of such contracts, and the present Mr. Justice Willes gave it as his opinion that such contracts were perfectly legal as the law now stands. The workmen complain very much upon that, and I think upon those points the law requires considerable amendment; in the first place, those contracts should have the principle of mutuality, they should be the same for the master as for the workman; and, in the next place, each party entering into the contract should always have a duplicate copy of the agreement, so that there should be no mistake, supposing the case came before the magistrates.

1179. The mutuality or non-mutuality is a matter dependent upon their own private agreement, and not upon the state of the law. If a man chooses to enter into such a contract as you have just specified, it is his own fault; the law is not to blame, is it?—It appears so; but when you come to take into account the position of the parties under which those contracts are entered into, there is some explanation to be offered, and it is this; a man goes into a shop, he is very much reduced in circumstances, he knows not what to do, he immediately enters into a written agreement, or partly printed and partly written, and filled up at the moment, or a general agree-

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ment is hung upon the wall of the workshop, which he does not stop to enquire into. He knows nothing of its purport till he his told that he has broken it, and finds a police officer at his heels, and then he says, "I did not know anything about it; it is quite unknown to me." It may be the man's own fault fault for not looking at it, but such is the fact. To remedy that grievance, I think each man entering into a contract should have a duplicate of it, or otherwise the contract itself should be declared void.

1180. You do not propose that the law should interfere to prevent masters and servants making any contract they choose as to mutual service, but you propose that all contracts for service should be in writing, and in duplicate, and exchanged between the parties so contracting?—Yes.

1181. With reference to the points that have been discussed here, what is your opinion as to the treatment of servants in cases of breach of contract?—Upon that point the great difficulty in my mind would be first in ascertaining the amount of damage done. Because, taking my own trade, which was the glove trade, I would make the hands, and somebody else would make the fingers; if the hander leaves, the fingerer cannot work, and the master is at a loss; and in case of a written contract he is compelled to pay the fingerer for the loss of time, and the question would be as to the amount of damages to be assessed, and who ought to be the assessor. If, instead of leaving all that to juries or to a county court judge, the magistrate was enabled to call in an assessor, supposing a dispute to arise, to assess those damages, then I think that would be the simplest remedy.

1182. Have you any objection to the present law on the grounds taken before this Committee by witnesses who have been examined, that the procedure at present is criminal for a breach of contract, the change wished for being that the procedure should be in future civil?—I think the law itself gives the magistrates three alternatives; they may either imprison with hard labour, for periods not exceeding three months, or order an abatement of wages, or order the workman back to service. But I think that the abatement of wages would apply more to servants in husbandry, than to workmen generally. I can understand that where a person has been at work for a week or a month, and his wages have not been drawn, the magistrate might abate his wages to that extent, but it would apply more to persons who were paid either by the quarter or the year, where there was some considerable amount of wages in hand. Then, as to the other portion of it, as to sending a person to gaol, I must confess it looks very bad on the one side; but I can see exactly how in the case of a single person, without any goods and chattels, it is to be remedied, except by an order of the county court judge or the magistrate. The only mode, as it seems to me, in which the master could be compensated for the breach of contract, would be by an assessment of damages against the man who has broken his contract, and then comes the question as to the recovery of the money so assessed; and that can only be obtained, I believe, as far as I can see, in the usual way of an order to pay, and by distress and sale, or by imprisonment, upon failing to pay the award. I am totally opposed to the arrestment of wages. I believe that the arrestment of wages would lead to such complications, and such heartburnings, and would lead to so many strikes, and all manner of things of that kind, that the remedy would be considerably worse than the disease.

1183. Why should it lead to those evils; witnesses who have been examined have said that they would prefer, in case of damages being given against them, having a certain portion of their wages prospectively arrested, to having their household furniture and effects sold up under the law of distress?—I have no doubt they have given their honest views in that respect, but I have always been opposed to the law of arrestment of wages, though it appears, on the face of it, in some cases, as being nothing but right; still, at the same time, one workman may have a considerable number of creditors; and in that point of view, if you give the power to arrest the wages in favour of one man over all the others, it would be very injurious to the rest, and it would lead to something as bad as the truck system; again, it would facilitate a system of credit, injurious to the welfare of families. From my knowledge of the working people of this country, I do not believe that it would be liked by one out of 100.

1184. Without that power, practically, the result would be that, though damages might be nominally given, they really could never be paid?—The amount could always be recoverable in the county court.

1185. Providing there was anything to recover from?—The difficulty would only be in those cases where there was nothing to recover from, and generally speaking, the question of contract only applies to a very few trades. In my trade it was the custom for the men to give a week or a fortnight's notice before leaving, and it was the custom, on the other hand, for the master to give a fortnight's notice if he did not want the men; that is what I call mutuality.

1186. With reference to the question of damages, take the case you yourself adduced, the case of the fingerers *versus* the handers. If the handers failed to perform their duty the fingerers were thereby injured, and not only the fingerers, but the employer?—Yes.

1187. Because he would have to pay the fingerers, and he would not have the benefit of their work, because the glove could not be finished till the hands were completed. In that case there ought to be damages, you say, assessed by some one in favour of the employer, and against the handers; suppose the handers had no effects?—The damage would be in that case against the master, because the fingerers and the handers are both employed by the master. The hander runs away, and the fingerer says to the master, at the end of the fortnight, I have had no work to do, I claim my wages; they probably might be 30*s.*; and then there are other losses to the other parties who are engaged in the work; it would be a difficult point to assess the real damage to the employer; that could only be done by persons who understand the business.

1188. But at any rate, you assume there would be damages to the employer; what would be the employer's position, supposing the person against whom the damages were given, that is the hander, had no effects whatever?—He would be compelled then, as a matter of course, to go to the law, that is to say, to go before a magistrate, and the magistrate would give his decision.

1189. You would have no objection to imprisoning

prisoning him?—If the man agreed to go back to his work there would be no need for it.

1190. Going back to his work would be no compensation for the damage already done?—I cannot see any road out of the difficulty, except the county court, and then it appears to me we get into the same dilemma.

1191. You get into the same dilemma, unless you accept what you at present object to, namely, the prospective arrestment of the wages of that man when he returned to his work, whether in the same employment or anywhere else?—Yes; my principal reason for objecting to arrestment of wages is, that when once you begin the system as applying only to the breaking of a man's contract, it will very soon extend itself to other questions.

1192. Mr. *Algernon Egerton.*] You object to the principle of the arrestment of wages under any circumstances?—Yes.

1193. *Chairman.*] It has been suggested before the Committee, that the arrestment of wages for ordinary debts should be done away with, but that there should be an enactment in favour of it, as it exists in the common-law of Scotland, in cases arising under the Master and Servant Act, in lieu of the present power of committing a man to prison for breach of contract; would you object to the power of arrestment of wages being given to that extent?—I should not object to allowing the parties before the magistrate to enter into an arrangement of that sort, but I should object to making that a principle in the English law.

1194. Have you any other remedy to suggest, supposing the present law to be altered, to meet those very cases which you have just said might arise in the glove trade, similar cases to which, of course, must arise in all other trades?—No doubt they do arise in other trades, and they give rise to a great number of disputes. I do not know how to get out of the difficulty; therefore, all I can say is, that I object in principle to the arrestment of wages, but I should have no objection to allowing the magistrates, or county court justices, and the parties interested in any particular case, to come to any such an arrangement between themselves. The law requires amending, as I have said, by requiring all contracts to be made in writing, and by providing that, if they lack mutuality, or if no duplicate is given to the workmen, that those contracts should be considered void. Parol evidence is evidence that cannot always be depended upon in the case of workmen, for this reason, the master calls two or three witnesses, clerks, and so on, the workman is there by himself, and, while the master has the power of producing evidence, the workman has none; therefore, I think it is very unjust in that respect; and, in many cases which I have had to conduct before magistrates, I have found very great difficulty in not being able to contest the case in the manner in which it ought to be contested, simply because the workman had not the power of producing a copy of the agreement, nor of forcing the master to find the original, if he said he could not; and, in the next place, when we came to parol evidence, we had no evidence beyond the man's own; while the other party, generally, could produce one or two witnesses.

1195. You are in favour of doing away with the criminal procedure?—If possible.

1196. You are, I presume, in favour of having the power of enforcing contracts, not only in the interests of the masters, but of the workman himself?—Just so.

1197. Because, by a breach of contract on the part of a workman, not only may the master be injured, but his fellow-workmen also?—Yes.

1198. You say you are in favour of doing away with the present criminal procedure, if possible; do you believe, having thought this subject much over, that it is possible to do away with the present law?—Yes, I think it is possible to do away with the present law, if we could find a road out of the difficulty, and that would be in very few cases.

1199. Do you mean that it would be in very few cases that you could find a way out of the difficulty, or very few cases in which you would require this stringency of the law?—Very few cases in which such a stringency of the law would be required.

1200. In what cases do you think the stringency would be most likely to be required?—Take a shoemaker; he travels from one town to another, he engages to do certain work; when he has been some time at work a fit takes him in the head, and he goes away leaving his work unfinished; that is a man you cannot reach at all.

1201. That applies to every criminal offence where a man leaves?—Yes.

1202. That depends upon the acuteness of the police?—Yes; but take another case: a young man living with his father and mother, he has no assets at all; in that case, if you put him into the county court and get judgment against him, he may have no objection to go to prison under the county court warrant for contempt of court. The complaint is that the law is unequal; the law merely says to the master, you are ordered to pay what is due to a man for wages earned, or for wages that might have been earned, if you had employed him as you ought to have done by the contract; but suppose the master fails, or he becomes bankrupt, or he goes away, there is no law to reach that man in the shape of imprisonment as there is with the workman. If a master engages a man, and he breaks his contract, and is not in a position to fulfil his contract at the end of the agreement by paying him his wages, and he has no assets for the man to fall upon, he should be placed in the same position as the workman would under similar circumstances.

1203. Mr. *George.*] You could arrest him for debt in the county court?—I am speaking of a case where there were no assets in the one case or the other.

1204. Is not it the law in this country that if you get a decree against a master for wages, and he cannot pay the amount of the decree, you may arrest him?—Yes; and I think that should be the law as respects workmen.

1205. *Chairman.*] You look, in case of failure to pay, to imprisonment as a means of enforcing contracts?—Yes; but first of all, it should be considered a debt, and treated as such.

1206. You have no other remedy to suggest?—Not at the present moment; I came into the room unexpectedly, not having an idea that I should be called into this chair.

1207. Mr. Alderman *Salomons.*] When a man entered into an employment, would he not have placed in his hand a printed copy of the shop rules, to make him aware of the nature of the employment he had gone into?—There are shop rules of a different kind to these contracts. Con-

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tracts are written contracts agreeing to serve for a certain time, to do a certain kind of work, and to receive certain wages, and to give a certain notice. Shop rules apply more particularly, I believe, to the regulation or the conducting of the business in the shops, and they are more oppressive than those contracts, from the fines that are exacted under various pretences.

1208. You would not want a contract if a man entered into a weekly employment?—No.

1209. For what term of contract would you require the contract to be written?—In some trades a week would be ample; in others a month would not be too much, because in some cases where a man begins a piece of work, it would be three weeks probably before he would have finished it, and if he broke off the contract in the middle of that week it would not only be injurious to the men but to the master. I object to long contracts, that is, for 12 months and so on, because in that case you bind a man to work, at a particular price, for that time, no matter what may be the state of the labour market, giving him no chance of bettering his condition in common with his fellow workmen.

1210. Would not the master be in the same position?—Not altogether; if prices are on the rise he has the advantage; if he makes a contract for six months he knows what he is about; the workman makes his contract, but circumstances may alter; it is a system that is not right and proper for the interests of the man himself.

1211. Assuming, as you say, that a weekly engagement does not require a contract, what term would you say should imperatively require a contract?—Taking a builder, I should say a week would be as much as would be required in that case. Taking a smith or engineer, it might require a longer time. Taking shoemakers, they do not require so long.

1212. We assume that a weekly engagement does not require a contract; for what term should you say a contract in writing was absolutely necessary?—For anything over a week.

1213. Would you say a fortnight?—Yes.

1214. Would you see any objection in the case of a man not fulfilling his contract to the court making a decree that part of his wages should be impounded for the purpose of paying the master the loss he had been put to by the man leaving him?—The principle of arresting a man's wages I do not like; it looks like the twin sister of the truck system. I should have no objection to seeing the matter left to the judgment of the parties themselves.

1215. Mr. *M'Lagan.*] You object to any workman being prosecuted criminally for a breach of contract?—There might be exceptional cases in which I should have no objection to his being prosecuted criminally, where a person left his employer, and, by his leaving, other workmen were thrown out of employment, and their lives endangered, because very great hardship might ensue to a man's fellow workmen as well as to the master himself.

1216. Would you be of opinion, that in those cases, the man should be prosecuted criminally, even though the life of any one was not imperilled?—As a general rule, I should object to it; I think an assessment through the county court judge would have all the effect that was desirable; but there might be cases in which it might be advisable to prosecute the man criminally.

1217. In such a case as you mentioned, where a fellow-workman was deprived of his means of subsistence, you would say that the man who deserted his service should be prosecuted criminally?—If he refuses to pay what is assessed against him.

1218. Some of the witnesses have expressed an opinion, that a man should be prosecuted criminally where there was a distruction of property?—Where there is a destruction of property, the penal law steps in now.

1219. Supposing a man deserted his service, on account of which not only the employer's property suffered, but his fellow workmen were deprived of their subsistence. Some of the witnesses have stated that, in such a case, they thought the workman should be prosecuted criminally?—I think so too.

1220. Others have expressed the opinion that the workman should only be prosecuted criminally where life was imperilled?—I do not know about that; where a man is thrown out of work, and his family wants bread through the misconduct of another, I think the law ought to have a hold upon the man who caused it.

Tuesday, 5th June 1866.

MEMBERS PRESENT:

Lord Elcho.	Mr. M'Lagan.
Mr. Fawcett.	Mr. Edmund Potter.
Mr. Gathorne Hardy.	Mr. Alderman Salomons.
Mr. Jackson.	

LORD ELCHO, IN THE CHAIR.

Mr. ARCHIBALD HOOD, called in; and Examined.

1221. *Chairman.*] YOU come from Scotland?—Yes.

1222. In what capacity do you appear before the Committee, as an employer or as a superintendent of labour?—As an employer.

1223. What description of labour?—Mining chiefly; I have brick works and tile works.

1224. In what part of Scotland are those mines?—I am sole lessee of the Whitehill Colliery in Mid-Lothian, and also joint lessee of another colliery in the neighbourhood of Glasgow.

1225. Employing altogether how many hands?—Three hundred or 400 hands. I am also joint lessee of some collieries in South Wales.

1226. It has been given in evidence that in Scotland a system of minute contracts prevails; is that the system under which the men work in your employment?—It is hardly a system of minute contract; the men themselves understand it to be a daily contract.

1227. Has that system of daily contract been long in operation?—It has been in operation in the neighbourhood of Glasgow for about a dozen years, I should think.

1228. In your colliery?—Not in my colliery alone, but in the collieries in the neighbourhood.

1229. In the neighbourhood of Glasgow are most of the collieries under that system?—Yes.

1230. At Whitehill is your colliery, and also all the neighbouring collieries, under that system?—The most of the larger collieries in Mid-Lothian are under that system now. We adopted it last year.

1231. In consequence of what?—In consequence of a strike. I believe I was the first to adopt it in Mid-Lothian. I had long had the intention of adopting it, but last year my workmen struck without giving me any notice, as they usually did, and after that, on meeting some of the neighbouring colliery owners, I told them I intended to abolish the warning system entirely; and, after a few days' consideration, the owners of two of the principal collieries in the neighbourhood came to the same resolution.

1232. Up to that time, what had been your system of contract?—Fortnight warnings.

1233. And the other collieries the same?—And the other collieries the same.

1234. Contracts for longer periods did not prevail?—No.

1235. When you introduced the system, were there any objections on the part of the men?—The men did not like it at all. They did not make any formal objections; but I have understood, from my communication with them, that they did not like it at all.

1236. That is in Mid-Lothian; but in Lanarkshire, you had had this system in operation before in your own works?—Yes.

1237. What led to the introduction of that system there; was it also the result of a strike?—I cannot call to recollection what it was; but I think very likely it was that. I had no interest in collieries in the neighbourhood at that time; I was employed in Ayrshire when that system was introduced.

1238. It was introduced into the colliery in Lanarkshire before you became lessee of that colliery?—Yes.

1239. Has it worked well there?—Very well.

1240. There was no complaint there on the part of the men?—No.

1241. Now you have had your experience of the working of the system of daily contracts in Mid-Lothian, you say the men objected at first; has the result of that year's experience reconciled them to the change of system?—I think it has; I think their objection to the new system was this: At Whitehill there are a great many old residenters about the place, and they were afraid when I adopted it that I was going to retaliate upon them, and was going to turn the old residenters from the place; when they found that I had no such intention, they became reconciled to it.

1242. Seeing that those were not your intentions, they got by degrees to be satisfied with the change?—That is so.

1243. Do you think that that system is spreading in Scotland?—Yes, during the last year it has spread to the extent of the principal collieries in Mid-Lothian adopting it.

1244. Is it spreading also in other parts of Lanarkshire, or is it already so far adopted that there is no longer room for it to spread?—There is room for it to spread in Lanarkshire. I am not aware what progress it has been making these few years back in Lanarkshire, because in my own immediate neighbourhood I think it has been the rule for a great number of years.

1245. Are you aware that 25,000 out of the 35,000 miners of Scotland work under this system of daily or hourly contract?—I can believe it.

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1246. Previous to the introduction of this system, had you in your Mid-Lothian colliery, frequent cases, or had you ever cases in which it was necessary for you to prosecute your servants under the Master and Servant Act which this Committee is considering?—Yes, I think I was on one occasion obliged to prosecute under the Master and Servant Act.

1247. In how many years is that?—Over a period of ten years.

1248. Among how many men?—Two hundred or 300 men.

1249. Do you recollect what that case arose from?—I think it arose from disobedience of the oversman's orders, and I felt called upon to make an example of the man.

1250. Was he a man in any prominent position in the mine?—No; he was simply a collier; he was brought before the justices, and I think if I had not interceded for him he might have got three months' imprisonment; but I said that was not my object at all, I merely wished to get a conviction, and on my representation they allowed him to get off with some few days' imprisonment.

1251. There are in the mines, are there not, many positions which are highly responsible positions, and where, if the men suddenly left their posts, danger to life and limb might occur to those employed in the mine, besides very serious loss to the employer?—Yes.

1252. Are such cases provided for, do you think, sufficiently as regards mining operations, by those statutory rules which are drawn up under the Mines Inspection Act, without the assistance of the powers you have under the Master and Servant Act?—No; I should not like to commit myself to that.

1253. It is the case, is it not, that in your own mine, as well as others, there are rules and regulations drawn up under the Mines Inspection Act, specifying the duties of the different men in the pit?—Yes.

1254. And any infraction of those rules renders those men liable to be prosecuted and punished?—Yes.

1255. Do you consider those special rules not sufficient for the proper conduct of the mine, for the safety of those employed, and for the interest of the proprietors?—Not knowing that I would be asked such a question, I am not quite prepared to answer it, but I would say this: those special rules might be made sufficient.

1256. Under the Act?—I should think so.

1257. You think, from your knowledge of the Act, and the power given under it, those rules might be made sufficient; but whether they are sufficient or not in your own case, you are unable to say from not having specially directed your attention to that point?—That is the case.

1258. With respect to other mines, do you believe the rules are sufficient?—They are all very much the same throughout Scotland.

1259. Do you know whether cases of prosecutions in mines which are not under this hourly contract system, are common in Scotland; I mean prosecutions under the Master and Servant Act?—No, they are not very common. We hear of them at long intervals; occasionally in very aggravated cases the masters prosecute, but as a rule, I do not think they do prosecute.

1260. Speaking as an employer, do you think the Master and Servant Act, as it at present stands, is open to objection?—No, I do not think it is; so far as I am at this moment able to recall it.

1261. Do you think that without injury to the employer it might be altered?—I think it might.

1262. In what respects do you think it might be altered?—I think it might be left optional for the judge to award either fine or imprisonment.

1263. And in cases of fine, would you propose imprisonment in case of non-payment of the fine?—Yes.

1264. Have you any objection to the system of arrestment of wages by the master, in payment of fine that might be inflicted?—I think if there was liberty left to imprison, failing payment of fine, it would be quite sufficient.

1265. Is there much arrestment of wages among your people, by tradesmen?—In the neighbourhood of Glasgow there is a good deal; in Mid-Lothian there is very little. In Mid-Lothian, I can afford to say to the men, if you continue to have your wages arrested, you must go and find employment somewhere else; in Glasgow, we could not afford to do that.

1266. As an employer, you think the system a bad one which allows of wages being arrested by tradespeople?—Yes.

1267. From its effect on the men?—Yes; I think it tends to make them improvident; they go upon tick, and a number of them prefer taking goods on credit, to paying ready money; if they knew that they could not get any credit, it would make them much more provident.

1268. In the long run, do you think it is to the advantage or disadvantage of the creditor?—I think it is to the disadvantage of the creditor.

1269. That is to say, he gives credit where the men by getting so much into debt under this system, have not the means of paying eventually?—Yes.

1270. You say you have been able to prevent this in Mid-Lothian, but not in Lanarkshire, how is that?—The men in Mid-Lothian are more of a settled population, they have been longer resident on the ground, and they have more provident habits in Mid-Lothian than in Lanarkshire; in Lanarkshire the population is very much mixed up with all classes of workmen; there are a considerable number of Irish.

1271. You do not find that the Irish element leads to providence?—No.

1272. You say you prevent it as far as you can, by that I understand, you do not take men whose wages are arrested?—I do not know that I have actually refused to employ them, but I have threatened frequently to turn them off if they continued to have their wages arrested, it puts the master to a good deal of trouble.

1273. It has been suggested to this Committee, that arrestment of wages by creditors should be abolished; but that the power of arrestment of wages in payment of fines imposed under this Master and Servant Act should continue, and be made statutory, do you see any objection to that?—I do not think there would be any necessity for making it statutory, that arrestments should be made for fines; I think if there were power left to imprison, instead of inflicting a fine, it would serve all necessary purposes.

1274. You would imprison in case the man could not pay, and in case his effects were insufficient to meet the fine?—Yes.

1275. But when he is imprisoned, he is deprived of the power of earning anything for himself and his family, whereas in the other case he is

he is not imprisoned, his wages being arrested, he would be working off the fine, and would be in a better position than if shut up in prison?—There is no doubt of that, but it would be a severer punishment to a man to have him imprisoned, than to have his wages arrested.

1276. Would you see any harm in a discretionary power being given of arresting wages?—No, I do not know that I would have any reason to object to that.

1277. Have you established a co-operative store?—I have; at least when I say I have, our workmen have, and I have given them all the assistance I could.

1278. At both your collieries?—No, only at Whitehill.

1279. Perhaps in consequence of that, there is less arrestment of wages in Mid-Lothian than in Lanarkshire?—No, it was so before we established the co-operative store.

1280. Is that managed by the men?—It is managed by the men entirely, with this assistance: I am their treasurer, the moneys are lodged in the bank in my name; I sign all the cheques. I find that gives them a very great deal of confidence.

1281. In the first answer almost that you gave, you said that besides being an employer of labour in mines, you were an employer of labour in brick works, and tile works?—Yes.

1282. Have you large works of that kind?—Yes, pretty extensive.

1283. How many men are employed in those works?—I should say 30 or 40, or 50 hands are employed at that now.

1284. Have you had those works long?—No, two or three years.

1285. During that time have you had any cases of prosecution under the Acts in those works?—No, not one.

1286. You cannot speak as to the necessity or not, of the Act in those cases?—No.

1287. Objection has been taken here to the jurisdiction in these cases being given to the justices; have you ever heard complaints on the part of the men with respect to the jurisdiction?—No.

1288. The fact is, partly from the system in your mines in Lanarkshire being the hourly or daily contract system, and partly from other reasons, in Mid-Lothian, you really practically have had only one case of experience of the working of the Act?—Only one.

1289. And you have not heard of any complaint, directly or indirectly, on the part of workmen in the employment of others, of the jurisdiction of the justices?—No, I have not; I think the justices are better able than any one else in the majority of cases, to look into these matters, because they are very often country gentlemen, and gentlemen continually mixing with the working classes in some shape or other, and therefore better able to grapple with such cases than mere lawyers.

1290. You think that the jurisdiction is better left in the hands of the justices, than if it were transferred wholly to the sheriff?—I think so.

1291. Objections have been taken by witnesses before the Committee, to the justices' jurisdiction, on the ground that they, being employers, would be likely to sympathise with fellow employers in the prosecution of workmen; do you believe that there is any weight in that objection?—I do not think that it is the case; I do not think that the justices are generally employers of labour, except to a very small extent; they do not generally hold collieries themselves, or brick works, or anything else.

1292. Have you yourself ever sat on any cases?—No; I am not a justice; it is an office I should not accept.

1293. Mr. *M'Lagan.*] Is not it the case that in the mining districts of Lanarkshire, most of the justices are interested in mining operations, and are employers of labour?—I am not aware of that.

1294. That is not the case in your district of Lanarkshire?—I am not sufficiently able to go into that question; I do not know who are the justices chiefly.

1295. You know some of them; you know that they are gentlemen of high character; gentlemen who could be depended upon?—Yes.

1296. Do you give your workmen houses in the collieries with which you are connected?—At Whitehill we do; but in the neighbourhood of Glasgow we have very few houses. We are situated near a village, and we do not, in that case, require to give them houses.

1297. In the neighbourhood of Glasgow, the men pay rents for themselves?—They pay rents even at Whitehill; generally, they pay rents in every place.

1298. But you deduct the rents from the weekly wages?—Yes.

1299. How does the minute system operate when houses are provided for the workmen, seeing that at a moment's notice they would be turned out of their house, and might have a difficulty, perhaps, in finding another?—That is not so. We cannot turn them out of the houses at a moment's notice. We cannot turn them out of the houses, perhaps, for weeks; we have in the first place to summons them before the Court, and get a warrant from the sheriff to eject them; after that, they get seven or ten day's notice, and even then they may interpose some obstructions to our putting them out. So that it is a very difficult matter to put a man out of his house in Scotland. Many years ago a man and his family broke forcibly into one of the houses belonging to a colliery which I managed, and I thought I had nothing else to do but to remove him summarily; but he brought me before the Court; and it was found that I had acted illegally: and he still retained possession till I got him legally ejected.

1300. But have you not a rule in your colliery that men shall not occupy your houses unless they are employed by you?—Yes.

1301. Still the law will not recognise that rule?—The law says, you cannot summarily eject your workpeople. It generally takes me about five or six weeks to eject a man. In the first place, he gets notice to leave; and he promises, perhaps, to leave in a week or 10 days. When that time has expired, he pleads for longer time again; and he goes on in that way from week to week, or day to day, till I am obliged to take stringent steps ultimately, when I find he does not intend to go out unless forced.

1302. It is not the tedious course of the law exactly that prevents your getting possession of the house so much as your forbearance?—No, it is the law that prevents it. We could not eject a man sooner than three weeks or a month; we cannot get him before the court, perhaps, for a week or ten days. Then we apply for a warrant to eject him, which has to be served upon him.

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A month would be the earliest time in which we could possibly eject a man.

1303. According to your experience, the effect upon the men of those short warnings or notices, is good?—Yes, I think it is.

1304. It makes them stay longer in their employments?—Yes, it does not make them so restless to leave, because they know they can leave at any moment.

1305. Have you any experience of farm labourers?—No.

1306. You have no knowledge of the manner in which they are engaged in your district?—I believe they are engaged from year to year in our district.

1307. Both young men and married men?—Yes, married men I know are.

1308. *Chairman.*] Are the men in your brickworks engaged by the day?—By the day.

1309. Mr. *M'Lagan.*] Do not the brickmakers work by piece work?—A number of them; there is a portion of our brickwork let by the season, but that is a small portion of our works. We let to a man or two men the making of our bricks outside for the season; that is a contract, but that man employs all his hands by the day.

1310. You have nothing to do with those men whom he employs?—No.

1311. It is the same with your tile works, I suppose?—Yes.

1312. I understand you to say that in any alteration of the law, you would leave it optional to the justices either to imprison the workman or to fine him, in case of breach of contract?—Yes.

1313. Mr. Alderman *Salomons.*] In the cases of these day labourers, they are, I presume, engaged by the week, but paid by the day?—Some are paid by the day and some by the piece.

1314. Is not the service considered weekly service?—It is considered as daily service.

1315. Can a man throw up his work at the end of the day?—Yes, by giving a day's notice.

1316. Mr. *Jackson.*] Is it the custom to give a day's notice?—Yes it is; the men all give a day's notice. I do not think I should send any man away myself on a day's notice; I should not take advantage of the power I had.

1317. Supposing a man when he left off work at night should say, "I shall not come to work in the morning," would you consider that a day's notice?—No.

1318. He would be entitled to go the next night?—Yes.

1319. Does that apply to men working in collieries on piece work?—To all the men in my employment.

1320. You have some who work day work and some who work piece work?—Yes.

1321. In the event of hewers of coal throwing up their work, and thereby putting a stop to the rest of the colliery, and injuring their fellow workmen by the loss of what they would earn, would you treat them criminally?—I should think so.

1322. Supposing the engine man at the top of the pit left his work, and left the men below, what would you do with him?—I should say that that man should be prosecuted criminally.

1323. *Chairman.*] Would that man be prosecuted now under those statutory rules and regulations, under the Mines Inspection Act, to which I referred?—If the special rules were made more stringent they might serve all the purposes; but a fine of 2 *l.* would be quite inadequate for such an offence as that.

1324. Mr. *Jackson.*] You are of opinion that a fine of 2 *l.* would be totally inadequate for the mischief?—Certainly.

1325. Supposing a man whose duty it was to attend to the pumping engine left it, and the pit got flooded in consequence of his neglect?—It might be a very serious matter.

1326. You do not think any civil process against him would meet the case?—No.

1327. Do you know whether, under the Mines Inspection Act, the judge has the option of fining a man 2 *l.*, or imprisoning him for two months?—I think he has the power of imprisoning for three months.

1328. That being so, do you think the judge ought to have that option in such a case as I have named?—That is a serious offence, and altogether exceptional; but I think it might safely be left to the judge in such a case.

1329. If any man working in a colliery threw up his work, and by throwing up his work, 20, or 30, or 50 men were thrown out of their labour, do you think a fine of 2 *l.* would be sufficient to meet such a case as that?—No.

1330. You would treat him criminally?—I do not know that I would make it compulsory upon the judge to imprison him. I think there might be some option safely left to the judge in these matters.

1331. The man charged with that might plead sickness; you would have the judge take all matters into consideration?—I think the judge might be allowed to take those matters into consideration, and award the punishment accordingly.

1332. Have you ever heard your men complain of the justices who hear their cases in your district?—No, never.

1333. Are the justices at all connected with collieries or ironworks?—Some of them are lessors of collieries, but they are not all so; a great number of them are totally unconnected with mining operations, or works of any kind.

1334. Do you think the men in your employ would be better satisfied with the sheriff or the county court judge?—I do not know that they would.

1335. You are of opinion, that if the law which allows the creditors of a workman to arrest his wages were done away with, it would induce people to be more careful; they would go less upon credit, and the tradesman, knowing that he had no such power, would be more chary of giving the workman trust?—Yes.

1336. It would be for the benefit of the man himself, not so much for the benefit of the employer, if that law were repealed?—It would be certainly to the benefit of the man himself.

1337. Mr. *Hardy.*] The men have complained that whereas the master has the power of proceeding against them criminally for breach of contract, they have only the power of going against the master civilly. Do you think that distinction should be retained?—I think it is quite right there should be that distinction.

1338. On what ground do you consider that that distinction ought to exist?—Because I think the master can always pay any penalty that may be imposed upon him; the man can always have his remedy against the master; whilst on the other hand, the master may not have any means of inflicting punishment upon the man, unless criminally.

1339. You put punishment in the one case, and

and pecuniary compensation in the other?—It is punishment in both cases.

1340. Would you, or not, give a workman in all cases, the power of making a pecuniary compensation for breach of contract; ought he to have the option?—No; I would leave the option with the judge.

1341. I am not putting to you cases where life and limb were endangered, but cases of simple breach of contract; for instance, supposing a man under a fortnightly contract left at the end of the first week, not going into the question whether by doing so he injured other people or not, in that case do you think it a reasonable proceeding in itself to issue a warrant against the man, and take him upon a criminal charge?—The men sometimes do very provoking things in that way, and I think it would be a very safe course to leave that to the judge.

1342. If you left it to the judge, you would, I presume, proceed in the first instance by summons, and not by warrant, because if you proceeded in the first instance by warrant, you would be proceeding criminally?—I would not object to proceed by summons.

1343. You put it entirely upon the ground that the master has the power to make compensation in all cases, whereas the workman probably has not?—The workman probably has not, and there is no other mode of punishing him than by imprisonment.

1344. Supposing the master breaks his contract, and dismisses a man illegally, you think he should only be compelled to pay the damage, and not be punished at all?—That is a punishment.

1345. You think there would be no real redress for a master against a servant, unless it was through this *quasi* criminal process?—No.

1346. It has been stated in evidence here, that there would be no difficulty in following the wages of a man if he went to other places; do you think that would be a remedy?—No, I do not think it would be an adequate remedy at all; it is a thing I should never think of doing myself.

1347. How often does the Sheriff's Court in your neighbourhood meet?—Once a month.

1348. The justices are to be found, I presume, at all times?—In Edinburgh we can always go to the Edinburgh Justices of the Peace Court. I think they meet once or twice a week.

1349. There is a power under the Master and Servant Act to go to one justice. I suppose you can find a justice always?—Yes; as a rule you can always find a justice.

1350. *Chairman.*] Does your Sheriff Court meet only once a month?—It is once a month in Dalkeith.

Mr. *A. Hood.* 5 June 1866.

Mr. William Evans, called in; and Examined.

1351. *Chairman.*] You come from the Potteries?—I do.

1352. What is your profession or business?—At present I am the editor of the "Potteries Examiner."

1353. Have you always been engaged in literary pursuits?—No.

1354. Previously to your becoming editor of the "Potteries Examiner," what was your employment?—I was for some 25 years a working gilder in Worcester and in the Pottery districts.

1355. Has your attention been directed to the Master and Servant Acts which we are now considering?—Very much.

1356. Previous to your becoming editor of the "Potteries Examiner," when you were a workman yourself?—Yes.

1357. Was your attention directed to the working of those Acts from cases that came under your own observation, or from discussions amongst the workmen?—In 1836 and 1837 there was a general turn-out and lock-out, which originated from a system entitled "good from oven." 20 weeks turn-out was the result, caused entirely by the badness of their written contracts, and this system called "good from oven."

1358. Was that system of "good from oven" connected with the contract system?—It was not mentioned in the contract, but notwithstanding that, it was and is acted upon by the justices.

1359. What was the contract system then?—The simple contract then was, that a workman bound himself for 12 months to his employer, and the employer undertook to find him work for that period; but when the workman sought to force from the employer the full amount of work, he never could obtain it, but the master could force from the workman his 12 months' employment.

1360. They worked by the piece? — They worked by the piece, but they were engaged by the year.

1361. The system of "good from oven" was connected with that?—Yes.

1362. What is that system?—It is this: what are termed the clay branches of the trade are held responsible for the ware, not when it comes from the hand, made and completed, but after the firing of the ware; and though he may make the ware perfectly good, if an accident happens to it after it has got into the hands of the placer, or the fireman, or the warehouseman, the maker is held responsible for it. And if the manager of the works were to make a mistake in the ingredients, and spoil the body, the maker would still be held responsible. In consequence of this system, the men are not paid for that which comes bad out of the kiln, but they are made responsible for the misconduct of hands into whose possession their ware is placed, previous to the firing, and after the firing.

1363. That led to those disputes?—That was one cause.

1364. What was the ground of that arrangement?—The employers say that unless they have the power of paying according to the state of the ware as it comes from the oven or kiln, a bad workman would have the power of imposing upon the master by making bad ware and obtaining payment for it in the green state previous to firing; but the workman contends that a skilled over-looker can always tell a good piece of ware previous to firing.

1365. Mr. *Hardy.*] Does that system exist still?—Yes, I have papers with me by which I could show that in a case where a man who had made ware which was said to be bad, and which was put on one side in the warehouse as bad, the ware was not bad, for the manufacturer took that ware and sold it for the best ware, and the workman was never paid for it.

1366. Does this system of "good from oven," which you say led to the strike, still prevail?—Yes,

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Yes, it is generally in use, with a trifling exception; some of the leading manufacturers of the trade (but the majority do not act upon the principle) take 5 per cent. off the ware and pay the workmen accordingly; that is a modification far better than the old system; but the old system still prevails generally.

1367. *Chairman.*] The strike did not lead to a change of system?—No, to no permanent change; it led to a great amount of distress amongst the workmen; 20 weeks of distress and an expenditure of 50,000*l.* of money, and the sacrifice of their household goods, and then the men had to return to work thoroughly beaten and impoverished, the manufacturers having locked out at the time of the strike.

1368. What number of people did that extend over?—Some thousands; the aggregate now would be 15,000 to 18,000; the number would have been less in 1836 and 1837.

1369. Your experience of the working of these Acts extends over a considerable period; it commenced in 1837 with this strike; were there then cases of prosecution under the Acts?—There were; there was one case especially in which a manufacturer was charged by a workman for breach of contract; the master was under a written engagement to find work for a twelvemonth, and in the course of the year he took on fresh hands, so that in taking on fresh hands, he lessened the aggregate amount of employment to the old hands, who had been previously engaged; and under the circumstances he took the opinion of the late Mr. Whateley, the barrister, which I have with me, in which he states that the manufacturer, according to law, was bound to find the workman full employment for twelve months; but if a conviction took place under the 4th of Geo. 4, there would be no appeal, and therefore he advised the conviction to be taken under that Act; and that caused a great amount of dissatisfaction among the men, because the law was made an engine against them, when justice and right were in their favour.

1370. Do cases within your own experience frequently occur of prosecutions under these Acts?—Nearly every week in the Potteries now, much to the dissatisfaction of the whole trade; but the potting trade may be a peculiar trade. I would not say that it would be advantageous that the potters should be put under the same system as the mines in Scotland; that is, a day's notice; we feel that a month's notice is indispensable for manufacturers, the various branches being dependent one upon the other.

1371. You say that cases occur every week, what number of potters are there in that district?—Somewhere about 14,000, that is in the Parliamentary borough of Stoke-upon-Trent.

1372. What number of cases occur weekly or monthly out of those 14,000 men?—I should say at least some two weekly; but they come under separate charges, one being neglect of work and the other being breach of contract; but almost invariably, neglect of work is connected with breach of contract.

1373. Are all those cases prosecuted under the Master and Servant Act?—Under the 6th of Geo. the 3d and the 4th of Geo. 4th.

1374. Are the cases on the increase, do you think?—They are on the increase. I may state that in 1857 the potters took action against the decision of the magistrates, in a case in which a man had given a legal month's notice as he believed, and which was objected to by his employer; that was the case of Hawley *v.* Baker. The man Baker was imprisoned for a month, and afterwards, on leaving prison, and without resuming his work again, he was taken into custody and committed to prison a second time; the case was taken to the Court of Queen's Bench, and tried before Mr. Justice Coleridge, Mr. Justice Erle and the Lord Chief Justice, who gave a decision unanimously against the man, holding that the judgment was good. They took it then into the Court of Exchequer where it was reheard before Mr. Baron Bramwell, Mr. Baron Martin, Mr. Baron Watson, and the Lord Chief Baron, and with one exception they were of opinion that the judgment should be reversed, which has led the potting trade to believe that the present Acts of Parliament are thoroughly unequal to meeting such cases as breaches of contract with their employers.

1375. You say that those cases are increasing, to what do you attribute the increase?—I attribute the increase to the present prosperous state of trade; the manufacturers bind the men to those annual agreements, and they take every little breach of contract, or even neglect of work, before the magistrates, and punish the men for those breaches of contract.

1376. The agreements are annual still, are they?—The agreements are annual very generally, but not universally.

1377. Are they written agreements?—Yes; at least they are partly written and partly printed; this is the form (*handing it in*).

1378. Mr. *Hardy.*] Do you know how many master manufacturers there are in the district which you speak of?—No, I could not exactly say; but I should imagine in the six townships there would be at least some 220 manufacturers; there are 100,000 inhabitants.

1379. Are those complaints laid against the workman principally by very small manufacturers, or by the great manufacturers, such as Minton and Copeland?—I do not know a single instance in which Minton or Copeland ever prosecuted their workpeople.

1380. The fact is, then, that almost all those cases are prosecuted by what you may call the small manufacturers?—Yes.

1381. The small manufacturers practically living from hand to mouth themselves?—Yes.

1382. *Chairman.*] You say there are frequent cases of prosecution under these Acts, and chiefly by small employers of labour?—Yes. I will mention some cases. One man was engaged on an annual contract, and when he came to proceed with his work, he found there was a condition that was not laid down in his contract, namely, for the milling of his clay, which was charged upon him as a workman, and deducted from his wages. He objected to that, and left his employer; he was then taken before a magistrate, who was connected with the trade in the district, and he was imprisoned for a fortnight for leaving his employ; the workman believing himself to be justified in doing so, from the master having broken his contract. That has caused great dissatisfaction to the trade. Another man was prosecuted by his employer for simply being away from his work for a day or two at the outside; and he was fined by the magistrates 5*l.*, to be abated from his wages in 10 equal instalments of 10*s.* each; and the opinion of his fellow workmen is, that a master might make a man work upon such an agreement for

for the whole of the 12 months, and not pay him, by getting an abatement of wages should he miss a day or two in a week. In another case a man was charged with a breach of contract, though he had given what we conceive to be the legal month's notice. At the end of the month he left his employment, because he had been paid no wages for the work he had done. The manufacturer said, you are not entitled to wages, as the ware made had come bad from the kiln. He, with several others, left at the end of the month. He was brought before the bench, and the judgment was, that he should return to his work, and pay a penalty of 2 *l.*, in four equal instalments of 10 *s.* each. At the same time, not a shilling wages could he get for the ware he had made previously. He wanted to change his employer, but could not do so. The paucity of hands has increased the value of labour, and the workmen can get in many instances more advantageous terms by leaving their present employ, but those contracts prevent their leaving.

1383. Are there any other cases to which you wish to speak?—I will mention another case, where a man was taken ill. The potting trade is a very injurious trade to health; the average life of potters is 10 years' less than that of workmen in all the other trades in the country. They are constantly dying of pulmonary complaints, caused by dust which they inhale in their work; they are subject to what is called potter's asthma. This man was so ill that he could not follow his employment. He was charged with neglect of work, and he was imprisoned for two weeks for this neglect, at the same time that they had his doctor's certificate to the effect that he was not fit for work.

1384. Have you any other cases to mention?—No.

1385. Are the cases you have mentioned cases which have occurred recently?—Within the last two or three months.

1386. How has your attention been directed to them?—By the reporter, under my guidance, attending the courts and reporting them, and the reports appearing in the paper which I edit. They come under my observation every week.

1387. In what courts are those cases tried?—The Petty Sessional Courts.

1388. Before whom are those cases tried; employers in the same description of work?—With one exception; we have a stipendiary magistrate, Mr. Davis.

1389. Of those cases, what proportion are tried before him, and what before the ordinary justices?—The ordinary justices sit with him.

1390. Where is the court held?—In the six townships of the Potteries; they have six Petty Sessional Courts, and there is a day fixed for each of the local magistrates to sit with the stipendiary magistrate.

1391. He moves about to the six different courts?—Yes.

1392. Are any cases tried at which Mr. Davis is not present?—In the first case I mentioned he was not present.

1393. Where there is no stipendiary magistrate, the cases are tried before the ordinary justices. Have you heard objections taken, or do you yourself take objection to that principle of trying such cases before the ordinary justices?—I have no recollection of cases in which the stipendiary magistrate has not been present, with the exception of the one before named.

1394. In your district?—Yes.

1395. You cannot speak as to any other?—No.

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1396. Mr. *Hardy.*] I see that this agreement which you have handed in, provides for arbitration about wages; do you know whether that is ever put in force?—Not in my experience. I have not known it put in force; there was one instance, I believe. The complaint of the workmen is, that that is never acted upon by the manufacturers.

1397. One case which you mentioned, you say went to the Court of Queen's Bench and then to the Court of Exchequer; what was the shape in which it was taken to those courts?—In the first instance, the defendant Baker objected to the prices he received from his employer, and he tendered him a month's notice to leave his employment. At the end of the month he left his employment, upon which he was taken before the magistrates, and committed for a month to the treadmill. At the end of the month he did not return to his employment, and the master took him before the sitting magistrates, who committed him a second time; then he was taken up on Habeas Corpus to the Court of Queen's Bench.

1398. And then he was discharged by the Court of Exchequer?—Yes.

1399. Have you heard any complaints expressed by workmen of the tribunal before which those cases go, namely, the magistrates; have you heard a preference expressed for the County Court?—The men have taken some cases to the County Court, but I do not know that they would prefer the County Court wholly to the magistrates.

1400. What is the objection which the workmen in your neighbourhood take to this Master and Servant Act?—The leading objection is this: they say that while the master has the power of imprisoning the workman for a breach of contract, for a month or two, or three months, with hard labour, the master can only be proceeded against civilly, and made to pay some trifling compensation; which the workmen look upon as an inequality in the law which ought not to exist.

1401. Are there many cases in which the men take the masters before the county court?—I can recollect one case in which a master was sued in the County Court. That case has not yet been finally decided, but up to this point the workman has been disappointed in his expectations. The case was this: a man called a placer, (a kiln man) was discharged by the employer at a minute's notice, without giving him the usual month, and he took the employer into the County Court for the month's wages, and Judge Spooner, who heard the case, gave judgment against the workman. The workman complained of that, and obtained a re-hearing, which came on about a fortnight ago, but in consequence of the workman's solicitor not being present, the case was adjourned to next month. How it will be decided I cannot tell.

1402. The county court judge only sits once a month?—That is all.

1403. Mr. *Hardy.*] The "good from oven" system is not under this contract which you have produced; that is by the same rule of the trade?—No, it is not named in the contract; that is what the workmen complain of.

1404. This agreement is practically only a month's agreement?—That one is, but others which do not contain that written clause are for

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the whole 12 months; that is what is called the Chamber of Commerce Agreement, with the addition of the workmen's stipulation at the bottom.

1405. Is that stipulation of a month's notice common in the manufactories now?—The annual agreement would be less acted upon than the monthly notice; the annual agreement is adopted throughout the whole trade, with the stipulation of the month's notice in addition, where the men have the power of stipulating that for themselves.

1406. As you say labour is scarce, they have more power of enforcing such a stipulation now than when it was abundant?—When the law is not exercised against them.

1407. Are there any rules put up in the work shops in addition to that agreement by which they are bound?—This is a copy of the rules which are hung up (*handing them in*).

1408. Mr. *M'Lagan.*] You said that it was the small employers generally who prosecuted those workmen; how many men do those employers generally employ?—I should say from 50 to 200 men.

1409. Does every workman, when he enters the service of the master, sign this agreement?—Yes.

1410. Do you think it is for the benefit of the workmen that the notice has been shortened to a month?—It has been the general custom of the trade to have nothing but a month's notice, but within the last two years that agreement, which has been got up by the Chamber of Commerce, has been enforced upon the workmen for a year, and seeing that trade is now in a prosperous state, that long period of agreement takes from the workman the power of raising the price of his labour; the employers make it extend from the 11th of November in one year, to the 11th of November next year.

1411. Mr. *Hardy.*] Have you, on the part of the working potters, any remedy to propose for what you consider to be the grievance of the present Act?—The only one I have heard them express in their meetings has been, that they would like the adjudication, upon breach of contract, to be civil in both instances, both with the workman and with the employer.

1412. Supposing a workman to be summoned before the County Court, and damages to be got against him by his master, how would you propose that the damages should be realised?—I could not suggest any way in which they should be realised unless the master were given the power to follow the workman's wages. There are a large number of workmen now who have their own houses, who are small freeholders.

1413. Have you heard the evidence of the witnesses before this Committee who have described the effect of the arrestment of wages in Scotland?—I have only heard the evidence given this morning by Mr. Hood.

1414. Do not you think that there is some reason in what he stated, that the system of arrestment of wages tends to make the men restless and improvident?—I do not think that the manufacturer would take the trouble to follow the workman.

1415. Mr. *Potter.*] Do you think a master would engage a workman if he knew that his wages were to be arrested?—I could not answer that question.

1416. Mr. *M'Lagan.*] You do not know anything about the working of the law of arrestment of wages?—No, I do not; I think it is confined to Scotland, and I have no experience of Scotland. I should say that that which was referred to by the preceding witness, viz., a day's notice, which he states is acted upon, both by workman and employer in Scotland, would be the very thing that the working potters of Staffordshire would be happy to receive, under the present prosperous state of trade.

1417. Mr. *Hardy.*] They would be glad to have day contracts?—Yes, if practicable, and under the present prosperous state of trade.

1418. Mr. *M'Lagan.*] I understood you to say that the system of day contracts would not act beneficially in Staffordshire either for master or workman?—It would not be beneficial for the employer; I think the workman should give the employer a month's notice, because the branches of the manufacture depend so much on one another, that if one branch were suspended it would cause other branches to be suspended also; but a month's notice would be ample to cover such inconveniences.

1419. Mr. *Hardy.*] Supposing the system of day contracts were adopted in Staffordshire, would there be any means of testing the man's work, on his leaving at a day's notice?—The system of day contracts would be a disadvantage to the employer, but a very great advantage to the workman, under existing circumstances.

1420. Because bad work would not be found out?—No, he would have a new place as soon as he left his old one; hands are now so scarce.

1421. Mr. *M'Lagan.*] Do workmen in the pottery trade change about much from one employer to another?—I should imagine less in the pottery trade than any other.

1422. Is that on account of the engagement being by the year?—Under the month's notice, which I deem just between master and workman.

1423. The last witness told us that since the notice has been reduced from a fortnight to a day, the men have been much steadier?—He states that that is the case in the mining districts. I could not say that in the potting trade that would be the case. The probability is that such a system, placing the workman in an independent position of that kind, leaving the master to discharge him if he were a bad or inattentive, or careless workman, would work well; the best skilled and most attentive man would have the best price, and would be retained longest in his employment, but the employer would often suffer loss and inconvenience from such sudden changes.

1424. And the employer would have it in his power to part sooner with a bad servant?—Yes. In the United States there is no law to force any compensation for neglect of duty; all the redress the master has is to discharge the man if he is a careless workman.

1425. *Chairman.*] Is there any other suggestion you would wish to make to the Committee upon the subject of this inquiry?—No.

Tuesday, 12th June 1866.

MEMBERS PRESENT:

Mr. Dalglish.
Mr. Algernon Egerton.
Lord Elcho.
Mr. Fawcett.
Mr. George.
Mr. Jackson.
Mr. M'Lagan.
Mr. Edmund Potter.
Mr. Alderman Salomons.

LORD ELCHO, IN THE CHAIR.

JOHN LANCASTER, Esq., called in; and Examined.

1426. *Chairman.*] I BELIEVE you are a Justice of the Peace for the county of Lancaster, and Vice President of the Mining Association of Great Britain?—Yes.

1427. You are also Chairman of the Wigan Coal and Iron Company, are you not?—Yes.

1428. And owner of collieries in Durham and North Wales, thus employing altogether upwards of 9,000 hands?—Yes.

1429. You know the object of this Committee, namely, to enquire into the working of the Master and Servant Act?—Yes.

1430. As an employer of labour, I suppose you are thoroughly conversant with that Act?—Yes.

1431. Do you think that that Act requires amendment in any way?—Yes, I think it does.

1432. In what points do you think the Act at present is defective?—The present Act gives the magistrates no option of inflicting a fine, and I think, both as a magistrate and as an employer of labour, it is harsh in that respect; they have no alternative but to commit, and I think if an option was given them of fining it would meet the case; and, to show that the masters concur in what I propose, I may say that on the 23d of November last the Mining Association of Great Britain sent out a circular to the different districts and to the different chambers of commerce, amongst others the North of England Association of Coal and Iron Manufacturers, the Coal Association of Northumberland, the Lancashire and Cheshire Coal Association, the Birmingham Chamber of Commerce, the Huddersfield Chamber of Commerce, the Manchester Chamber of Commerce, the Liverpool Chamber of Commerce, and others. That circular asked those associations to bring the matter before the employers of labour in their district, and to send replies; and to that circular was appended the following resolution:—"At a meeting of the general committee of the Mining Association of Great Britain, held at the Craven Hotel, London, on the 22d and 23d of November last, on the question of Mr. Cobbett's select committee on the state of the law between master and servant, it was resolved, that the co-operation of other trades be asked in reference to the action to be taken by employers of labour before any committee to be appointed in the ensuing Session of Parliament, to inquire into the law of master and servant; that the various local associations be requested to bring the matter before other employers of labour in their districts, and make any necessary arrangements, and report to the secretary, Mr. J. W. Day, Chesterfield, on or before the 16th day of January next, that it is desirable to submit to such trades the alteration of the law which this general Committee, as they at present view the question, are inclined to recommend; viz., that, instead of the magistrates being under the necessity, according to the existing state of the law, of committing offenders to prison, an option shall be allowed of either committing to prison or imposing a penalty." In reply to that, every one of those associations concurred in that view. A deputation then waited upon Sir George Grey, to whom we submitted this proposition, as the result of the views of those different associations, and he thought it met the case very fairly. Then, at the general annual meeting of the Mining Association of Great Britain, held at the Craven Hotel, London, on 21st February 1866, on the consideration of the proposed select committee on the state of the law between masters and workmen, it was resolved, "That the Mining Association of Great Britain recommend a modification of the law of master and servant, so that the magistrates may have the option either of committing to prison or imposing a penalty."

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1433. You propose to retain the criminal procedure?—Yes.

1434. But to give an option of imposing a fine instead of awarding imprisonment?—Yes.

1435. That, you think, would meet the case, as stated by the workmen?—Yes.

1436. Their complaint being that the contract is a civil proceeding and that for breach of that contract they are treated criminally?—Yes.

1437. The present proceedings are by warrant, are they not?—No, not in England; the practice is contrary to that. I believe, the practice is never to issue a warrant unless there is a fear of the person absconding. In our courts we never grant a warrant unless the person refuses to attend upon a summons.

1438. Mr. *Potter.*] The power exists?—Yes, but it is never exercised in England to my knowledge. I know it is exercised in Scotland.

1439. *Chairman.*] In that respect do you propose any change in the law. Would you suggest that the first proceedings should be always by summons?—Aggravated cases might arise, a running away case, in which it would be necessary to proceed by warrant, but you would have to wait for the contempt of court to have been committed;

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committed; you must wait a week, probably; the sessions are only held once a week; you must wait that week before you could get the warrant.

1440. Do you think that those bodies who have met and considered this subject would object to that further alteration?—Yes, I think so.

1441. In your own experience have you very often been obliged to have recourse to the law?—No, not often, and to show how few cases there are, I have some statistics from our own district. The moral effect of having the power is often sufficient, and to show how little it is exercised in the district in which I sit as magistrate, I find that the returns for 1862 and 1864, in 100,000 of population, show that there were only 29 cases for leaving work heard, and of those only seven were committed. It is the custom of the magistrates in that district always to try conciliation; they would say we will defer this case, you must try and settle this amongst yourselves; they have scarcely any other alternative except committing the man, and they very often say you must agree between yourselves, and the result is that in those 29 cases in two years only seven commitments took place.

1442. Have you, yourself, had any case this last year?—No, not a single case.

1443. Had you any the year before?—I do not recollect one the year before.

1444. Have you ever had recourse to a warrant yourself?—Yes, a great many years ago.

1445. What was that case?—It is a long time ago; it was 25 years ago.

1446. You have not had a man up, under warrant, for 25 years?—I am not aware that I have.

1447. In short, there are no cases, practically, in your collieries?—No, there are no cases I may say, in our district.

1448. Do many of those cases occur generally throughout England?—I think this represents a fair type of England.

1449. Twenty-nine cases in two years, out of a population of 100,000?—Yes, I think it is a fair average; it is taken indiscriminately from the clerks of the magistrates, for the two years; if I had had more time, no doubt I could have got it confirmed from other districts.

1450. Do you think that the law, modified as you have suggested, is essential to the proper conduct of your mining operations?—I think so.

1451. Witnesses from Scotland have informed us, that in Scotland the system of what are called daily or minute contracts prevails, under which, of course, cases of breach of contract cannot arise, and they have said further, that the cases of men in responsible positions, such as engine-men and others who might leave their posts, and thereby damage their employers, and those who worked with them, those cases would be met by the Mines Inspection Act; do you think the Mines Inspection Act, and the rules drawn up under it, would be sufficient to meet such cases?—We could not prosecute under the Mines Inspection Act cases of that sort. If we had no contract with a man, the moment he ceased work he would be no longer our servant.

1452. You have statutory regulations under the Mines Inspection Act?—Yes, but the Inspectors of mines and the Government, have set their face against importing into these rules and regulations anything interfering with the commerce of the country; they will not allow any reference to a contract to be in the rules and regulations signed by the Secretary of State; they will not allow the 14 days' or months' notice to be imported into it; very often it is put at the bottom of the rules, after the signatures, meaning it forms no part of the fixed law.

1453. I presume in those rules under the Mines Inspection Act, there are certain posts in the mine specified, such as engine men and others, the desertion of which posts by the men would render them liable to be prosecuted?—Yes, so long as they are in our service; but if we have hourly contracts, a man can leave his post, and say, "there is an end of my contract; I leave your service." We cannot prosecute him after that; and the damage arises by his absenting himself so suddenly.

1454. Mr. *Potter.*] He might leave the engine running?—That might be a case in which you might proceed against him, if he left the engine running, but if he left at nine in the morning, he might say, "My contract is terminated;" and we could not then prosecute him. As long as he is in your service, and does an act while legally in your service, he is responsible; but after that he is no longer responsible. Take the case of the engine driver who drives the large blowing engine for the blast furnace, leaving suddenly, and it is in an obscure country place, where there is not a supply of that class of skilled labour, and he leaves his employ at the end of the hour in the middle of the day, what remedy have you? you have thousands of pounds damage done in the course of 24 hours, and you have no remedy in a civil point of view; there is no money he can pay that would compensate you for that.

1455. Have you seen the statutory rules that regulate the mines in Scotland?—No; I know them more in theory and by report.

1456. Your impression is that the Mines Inspection Act under the system of minute contract, would not give you sufficient protection as a master?—It is certainly.

1457. You think in your own interests as well as the interests of those you employ, who might be entirely thrown out of their employment by a man leaving his work, you require the present law of master and servant?—I think so.

1458. Are you aware that in Scotland, out of 35,000 miners, 25,000 are under this system of minute contract?—I have read that in the evidence; I did not know it before.

1459. You are not aware of any case in England of miners being employed under that system?—Yes, I have known a few cases in North Staffordshire where miners have been so employed; but that has had regard merely to miners, not to those who may be comprised as agents. It was only on a very small scale.

1460. Is that system still in operation in North Staffordshire?—I do not know. I have left that district some years, but the impression left on my mind was, that it brought an inferior class of population there; that they were more floating about.

1461. What is the length of your contracts generally?—A month is the longest contract that I know of; a fortnight is the general one; the distance between pay and pay regulates the time of the contract. I think that such a period of contract is beneficial in this way; a man during the fortnight might show a little temper at some small thing, and he might say, I will leave at the end of the fortnight; but the fortnight gives him time

time to reflect, and he very often does reflect with advantage and stays.

1462. The evidence which we have from Scotland shows that this system was introduced by the masters, and was not pressed upon them in any way by the men. Do you believe that in England the men would object to such a system?—I think so; but I think the men on the other hand are quite able to protect themselves on any question of that sort. If they express a strong wish on any point of that kind, I think it is merely a question between the men and their employers. I have never seen many quarrels on questions of that sort.

1463. Mr. *Potter.*] Any resonable demand on the part of the men would be met by the masters?—Any reasonable demand; the men would prefer to have, in our case, fortnightly contracts, rather than be dismissed at a moment's notice; I think that great hardships might arise from that on both sides.

1464. Mr. *Jackson.*] Would not the men under hourly contracts be more under the control of the masters?—I think so.

1465. A change to the system of hourly contracts, you think, would be rather to the detriment of the workmen, than otherwise?—It would be a change for the worse for the men, and if the men had that clearly brought before them in England, I think they would rather have a short contract, I mean a fortnight or a week as the case may be.

1466. *Chairman.*] Evidence has been given to the effect that in Scotland, under the common law, there is the power of arresting and following wages in cases of fine for damages. If this option, which you have referred to, were given to the magistrate, should you take any objection to that power?—Yes; I see a strong objection to that power of arresting wages; I think it would place a man with his new employer in a wrong position. In the first place the master would receive an authority to arrest so-and-so's wages; he would infer at once that he was a bad character, and was not a man worthy of employment; I think it would act morally against the man in that way. Then I think that it would be very unpopular in England following a man's wages; the men are tenacious that nothing shall be done in the way of interference with their wages.

1467. In these cases there is generally a choice of evils; if the alternative was selling a man up, which would you say, in the interest of the man himself, would be desirable to be done?—I do not think there would be much to be got in either case, judging from my own experience. We employ a class of boatmen who are contractors, and, therefore, they do not come under the law of Master and Servant; I need not say that they are a very inferior class of men, and they set us entirely at defiance; they leave the boat 20 or 30 miles away from our works; they will take it and employ it in other work, and we have no remedy against them. We have proceeded against them in the county court, and we have got judgments against them in the county court, but the difficulty is to catch hold of them, and I do not see how the civil law can operate upon men of their stamp; I say at present we have no remedy against those men.

1468. They are under no contract?—They are contractors, but they do not come under the law of Master and Servant; I should say, that if we had to go through the county court in any case of this sort, we should abandon it entirely.

1469. Objections has been taken to the jurisdiction being with the justices; do you approve of the jurisdiction being left to the justices?—I think the tribunal is more accessible, and quicker in its operation; and rather than deprive the justices of the jurisdiction, I would entrust them with more powers; I would let them adjudicate on the contract, and let them fine a master for any breach of contract; I think that would be an improvement for the work-people. Supposing a fortnightly contract exists, and supposing the master says, it is not a contract, and the man says, it is a contract, at present the remedy is, that the man must wait to the end of the fortnight before he can get a summons; but I would have the law so framed, that the moment the master said there is not a contract, the man could try that at once before the magistrates, so relieving him, and letting him go to another part of the country, if he wished.

1470. That is a further alteration which you would suggest?—Yes.

1471. Was that point considered by those associations which you have named?—No, that is merely my own opinion.

1472. You would object to the removal of the jurisdiction from the justices, and its being transferred to the county court?—Yes.

1473. Would you object to cases going before the stipendiary magistrates only?—That is a question affecting the whole administration of justice of the country; it is too large a question for me to answer.

1474. Mr. *Jackson.*] You have no complaint of injustice have you?—No, I am not aware that there is any injustice complained of in our district or the surrounding districts; I think there is a fair mixture of opinions on the bench.

1475. None of the large towns, like St. Helen's, have asked for stipendiary magistrates, have they?—No; no doubt if they did, they would have them.

1476. The matter has never been agitated?—No.

1477. So far as your knowledge goes there has been no complaint against the justices of the district?—I have never heard a complaint.

1478. Neither from the men nor anyone else?—No.

1479. They have not complained that because you, for instance, are engaged in the coal trade, you were not a fit man to adjudicate cases brought before you?—I have never heard any complaint. I, with others, would take special care not to adjudicate in a case in which I was either directly or indirectly interested; that is always carried out.

1480. *Chairman.*] There is no difficulty in finding magistrates who are wholly disconnected with mining?—No, in our district, which is largely a mining district, 80 per cent. of the magistrates are parties not connected with mining.

1481. Those cases are not tried before magistrates who are coalowners?—No, the majority would not be coalowners; they would be clergymen, landowners and manufacturers; but the major part are landowners and clergymen.

1482. Mr. *Jackson.*] Men not connected with business, or manufacturers?—Yes, they are generally selected, I need not say for that reason, having time on their hands, and being intelligent men.

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1483. With the view of preventing the preponderance of any one class on the bench?—Yes; I am sure that in the selection there is great care taken in that respect.

1484. *Chairman.*] Personally beyond that recommendation with reference to the justices having additional powers of dealing with contracts, you have no suggestion to make further than that made by the combined meeting of coal-owners?—No.

1485. And you approve of the justices' jurisdiction?—Yes.

1486. Mr. *Algernon Egerton.*] You say that there are very few cases occur in which there are prosecutions; but do many cases occur of men leaving their work, and breaking their contract, who are not prosecuted?—Yes, if a man is a useless and poor workman, and is not employed in any responsible position as an engineman, or in any post of that sort, we should scarcely follow him.

1487. You would let him go?—Yes.

1488. That is what is done generally?—There is a great deal of winking at it; as a rule we say, "Is he worth following?"

1489. Do you think that the present state of the law with reference to masters and servants prevents good workmen from leaving their work?—I think it has that effect.

1490. Have you any knowledge of the state of feeling amongst the workmen themselves, in regard to the criminal procedure in cases of breach of contract?—I have never heard much stress laid upon it in our district. I have watched to see whether there has been any feeling manifested in our district of that kind, and I have certainly not seen it. Any cases I have heard of have been too remote from the district for my own inquiry.

1491. You would give the magistrates the option of inflicting a fine; have you any idea as to what amount the fine should be?—No, but I would put a limit. It should not exceed a certain amount, say 5 *l.*

1492. Mr. *Jackson.*] You would give the magistrates the power of inflicting a fine according to the position the man occupied in the colliery?—Yes.

1493. If he were an engineman you would make it more, and if he were a colliery workman you would make it less?—Yes, if an important man had left his work in a very shabby manner, no doubt the magistrates would inflict the extreme fine on a man of that sort.

1494. You would leave it with them?—Yes, to inflict 1 *s.* or 5 *l.*

1495. But it should not exceed 5 *l.*?—No.

1496. In the event of a man decamping and not paying, and having no goods to levy on, what would you do?—That I would leave to the usual course of law.

1497. You would still have him prosecuted?—Yes.

1498. Mr. *Potter.*] You have said that you thought it desirable that the magistrates should have the power of adjudicating in cases of breach of contract, has your attention been drawn to Courts of Arbitration; have you any feeling in favour of them at all?—That is an experiment about which I am not prepared to speak.

1499. Do you think that it would be desirable to establish such Courts of Arbitration?—I have not sufficient knowledge to answer that question; it is a delicate point, and certainly they would have to be more than of a local character.

1500. Mr. *Algernon Egerton.*] Evidence has been given that in some districts the masters give a note called a "clearance" to any man leaving their service, without which he cannot get employment. Is that system adopted in your district?—It is not the case in our district; it is not the case in any district that I am connected with.

1501. In your opinion the greater freedom there is in all matters of that kind, the better both for man and master?—Yes, I should be sorry to have to import anything of that kind into the relations between master and workmen.

1502. Mr. *Jackson.*] You would disapprove of it if put in force?—Yes.

1503. You do not know of its being the rule?—It certainly is not in any district I am acquainted with. I should wish to have great freedom in that respect.

1504. *Chairman*] I have before me a copy of the special regulations which have been framed for the guidance of pitmen, and others in pits, in Scotland, under the 18 & 19 Vict., c. 108. I find those special rules refer to the duties of the colliers, the drawers, putters, and drivers, the bottomer or signal man, the roadsmen, the brushers and reddsmen, the fireman, the pitheadman, the engineman, the furnaceman, and the underground manager or overman. The duties of each of the men employed in those different departments are laid down in very great detail and minuteness, and at the end of those rules there is this note, in italics, which I will read to you: "The violation of any of the foregoing special regulations exposes the offender to punishment, by fine of 2 *l.* or imprisonment for three calendar months, on conviction under the Act 18 & 19 Vict., c. 108." Those rules and regulations the witnesses from Scotland say render, in their opinion, the present law of Master and Servant unnecessary, as regards the proper conduct of all operations below ground; and they are of opinion that those rules, framed under the 18 & 19 Vict., are sufficient, in connection with the system of minute contracts. Were you aware of the state of things which I have now called your attention to?—Generally, that there are such clauses in the special rules of collieries, I have no doubt; but they can only be put in force during the time those people are in our service; and if a man were working under a daily contract he might say at the end of the day, "I will work no longer for you"; and though he might by going away do us a great deal of harm, we could not proceed against him under those rules, because he would be no longer in our employment. Under the system of fortnightly contracts, if a man gave notice to leave we should have time to turn ourselves in, and to employ other men to do his work. But take the case of a fireman, who, instead of coming to work, in the morning, says "I left your employment last night," and supposing we had no one to take his place, the consequence might be that some great explosion might occur and cause irreparable damage.

1505. You cannot speak of your own knowledge to such cases having arisen in mines where the system of daily contracts is in operation?—We should never think of prosecuting under these rules and regulations for a breach of contract after the term of service, if it were a daily contract.

1506. Mr. *Algernon Egerton.*] Would not it depend upon how the magistrates defined the term

term "while at his work." For instance, the engineman having to attend to his engine during the night, his contract might be taken to last more than the day, might it not?—Yes, but you cannot make a distinction between different classes of contracts, the contracts must be uniform throughout the works.

1507. Mr. *M'Layan.*] If a man by leaving his work had endangered life or property, could not you prosecute him?—Then all the damage is done.

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1508. Still you could prosecute him, could you not?—No, not according to these rules, *we* can only prosecute him for misconduct during the time the contract was in existence, and while he was working for us.

THOMAS EMERSON FORSTER, Esq., called in; and Examined.

1509. *Chairman.*] YOU are President of the North of England Institute of Mining Engineers?—Yes.

1510. And viewer and manager of several collieries in different parts of the country?—Yes.

1511. You can speak to the operation of the law of master and servant in the northern districts of England?—Yes.

1512. Has your attention been much drawn to the law of master and servant, as an employer of labour and as President of that institute?—The matter has only been brought before our notice this year.

1513. I mean, have cases frequently occurred within your knowledge, of prosecutions under the Act, for breach of contract?—Occasionally.

1514. What sort of number?—I have had three myself within the last two years.

1515. Out of what number of men?—At Seaton Delaval Colliery alone, there are about a thousand men and boys, and at the other collieries altogether 7,000 or 8,000.

1516. What were those cases, were they ordinary pitmen, or engine-men?—Ordinary pitmen.

1517. Serving under contracts, for what period?—Monthly contracts; this is our form of contract (*producing it*).

1518. Are your contracts signed by the men?—Every man signs; the owners sign the schedule of prices, and the men sign their names below.

1519. I see that the men, according to this contract, bind themselves to work "according to the prices, times of working, rules and regulations mentioned in a certain schedule of terms and conditions, a copy of which said schedule is affixed in a conspicuous place in the colliery office"?—Yes, but they also get a copy of it whenever they require it.

1520. All your men are engaged by written contract, and subject to a schedule of terms, hung up in the colliery, which they see before engaging themselves, and a copy of which they can have at any time if they require it?—Yes.

1521. Are those schedules connected at all with the rules and regulations under the Mines Inspection Act?—Partly they are; but they principally refer to the prices upon which they are to be paid for their labour, and the number of hours they are bound to work.

1522. Those cases which you say you have had, were cases of simple breach of contract on the part of the pitmen; did they abscond?—Yes.

1523. Were they summoned?—I got a summons out against them, and they did not appear before the magistrates, and then I applied for a warrant, and it was some time before they could be found.

1524. You got a summons out against them before they left the country, after they had left the colliery?—Yes, and then I got a warrant against them as they did not appear on the summons.

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1525. From your experience in other collieries do the masters generally have recourse to a summons or to a warrant?—Generally to a summons in the first instance.

1526. The warrant only being had recourse to when the men do not appear to the summons?—Yes.

1527. Were those men convicted?—One of them was; the other two were forgiven on condition that they went back and served their month out.

1528. And they did that?—Yes.

1529. Under the law, had they not done so they would have been liable to imprisonment till they had served their contract?—Yes; the other man would not agree to that, and he was sent to prison for a month.

1530. At the end of that month what happened?—He came back and is serving now.

1531. Have you ever known cases where a man having refused to serve for the remainder of his contract, has been imprisoned, and where, when he has been let out of prison, he has refused to go back to his work, and has been brought up again and re-imprisoned?—Never.

1532. The law admits of such cases?—Yes.

1533. But you have never known such cases?—No.

1534. Do the cases generally end in imprisonment, or in the men returning to their contracts without suffering the penalty?—Generally speaking, the men return to their contracts.

1535. You are aware of the objections raised on the part of the men, to the present state of the law, I presume?—I have heard a little about them; they complain that the master cannot be imprisoned.

1536. They say that the law is unequal; that they can be imprisoned and dealt with summarily and criminally, while in the case of the master, it is only a civil process?—Yes; but if the men were fined, and would not pay the fine, what would be the consequence?

1537. At the present moment it is not a case of fine, but a case of imprisonment, and imprisonment under warrant, though summons may be resorted to?—Yes.

1538. You have heard the evidence given by Mr. Lancaster, do you approve of the change he suggested?—Yes; I think it would do no harm. Though I think it would be better for the men that they should know that they would be imprisoned if they did not fulfil their contract.

1539. Why do you think it is better for them that they should be imprisoned without the alternative of a fine?—If a man is fined, the other men club up and pay the fine amongst them, and the man therefore does not suffer anything.

1540. How would it be better for the man that he should be imprisoned, if when he is fined, he has

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has not even to pay the fine?—If he knew that he would be imprisoned, he would take care not to break his contract.

1541. As the law now stands, he is liable to be imprisoned under that criminal procedure in which it has been proposed by Mr. Lancaster, a change should be made by giving the magistrate the option of fining him. You say that the fine would be paid, not by him, but by his fellow workmen, and yet you say that it would be better for the man to remain under the present state of the law?—No question of it, because he knows what will be the consequence if he breaks his contract.

1542. In the one case he is imprisoned, and in the other he is fined, the fine being paid by his fellow-workmen; but still, in the interests of the man, you think he had better remain under the liability to be imprisoned?—He would not like that so well as a fine, but I mean as regards the men generally.

1543. You mean that breaches of contract are generally injurious to the workmen, and that the present severe state of the law tends to prevent breaches of contract, which this proposed change in the law, you think, would rather encourage?—Yes, I think it might, but still I would assent to the proposed change.

1544. Were you one of the gentlemen who met and passed this resolution?—No, I was not there.

1545. You heard what Mr. Lancaster said, with reference to those statutory regulations under the Mines Inspection Act, he said, that he did not consider the statutory regulations under the Mines Inspection Act, a sufficient protection for the employers; are you of the same opinion?—I am; I do not think they would be sufficient.

1546. Were you aware before you came into this room, to-day, of the existence of this system of minute contracts in Scotland?—Yes, I had heard of it.

1547. What had you heard of it before you came here?—I heard a gentleman giving evidence before this Committee that a great number of men in Scotland were working by the system of minute contracts.

1548. You were not aware before this Committee sat that such a system prevailed?—No, I was not.

1549. Do you think it probable that such a system might be introduced into England with advantage?—I do not know any district in which such a system would be liked; I do not think the men would be willing to adopt it.

1550. They would require greater security for the maintenance of their employment?—Yes.

1551. They have now the security of a month's notice?—Yes, so far as the miners are concerned; but all the other men, blacksmiths, joiners, and the men on bank only give a fortnight's notice, the rule being that at whatever period they receive their wages they give that notice; for instance, the blacksmiths and joiners receive their wages every fortnight, and they are at liberty to go by giving a fortnight's notice, but the miners are bound by the month.

1552. Have monthly contracts been in operation for any length of time?—Twenty-one years.

1553. Previously to that what were the contracts?—Yearly.

1554. Do you believe there were more cases of prosecution then under the Act for breach of contract than now?—No, I think not. In the county of Durham the majority of the miners are under 12 months contracts.

1555. Do you believe it is essential not only in the interests of the employer but also of the employed, that you should have some stringent means of enforcing contracts?—I think so.

1556. Do you believe that the power of issuing warrants is essential?—I would try a summons first, and if the man did not appear before the magistrates on the summons, I certainly would give the power of issuing a warrant.

1557. Would you be satisfied with the issue of a warrant only in the case of a man leaving the country?—I would only have a warrant issued in that case.

1558. If he merely left his work, you would be satisfied with the issuing of a summons?—Yes.

1559. Failing appearance on the summons, and on the knowledge of his having gone, you think a warrant should issue?—Yes.

1560. That coupled with the alteration of the law suggested by the Mining Association of Great Britain, namely, that the justice or whoever tried the case, should have the power of inflicting a fine in lieu of imprisonment, you think would meet all the requirements of the case?—Yes, that he should have the option of doing either.

1561. Depending upon the nature of the offence?—Yes.

1562. In the case of non-payment of the fine, you would have recourse to imprisonment?—Yes.

1563. It has been suggested by witnesses from Scotland, that instead of imprisonment, there might be an option of following and arresting the man's wages; what is your opinion on that point?—It would be very difficult to do that in our district; the men would not like it, and the masters would not like it. I would not like to follow a man to another colliery, to take his wages from him.

1564. If you did not imprison him, you would either have to do that, or to sell the man up?—I would rather forgive him; I would neither sell his furniture, nor follow him to another colliery.

1565. You think in the case of a fine being imposed, where the man had not the means of payment, the master would let him off?—Yes, but the man would have the means of paying it, because the other men would subscribe.

1566. So that the master would certainly not lose by the change in the law, giving the option of fining the man; inasmuch as the men in the same employment would combine to pay the fines, whatever they might be?—Yes; only that is not a very satisfactory state of things.

1567. That under the existing state of things you could not prevent by law?—No.

1568. With reference to the jurisdiction, Mr. Lancaster is strongly in favour of retaining the jurisdiction in the hands of the justices: do you coincide in his view?—Entirely.

1569. Objection has been taken on the part of the men to the jurisdiction being left with the justices, as they think they have a tendency, being employers of labour, to sympathise with their fellow employers who are prosecuting servants. Do you think there is any ground for supposing that there is any failure of justice owing to that cause?—I do not believe there is any failure of justice on account of that; I think if a coal owner were on the bench when a pitman was brought up, he would take no part in the case.

1570. That

1570. That you speak to positively?—Yes.

1571. At present one justice alone can try those cases?—Yes.

1572. Do you think it would be advisable that they should be tried before more than one justice?—Yes; I would have no objection to two or three.

1573. But you are strongly in favour of leaving the jurisdiction with the justices?—Yes.

1574. Why?—Because if the case had to go to the county court, involving the bringing of a civil action, it would be very tedious and expensive, and if the men were thrown in costs the master would never get them.

1575. Where there was a stipendiary magistrate do you think it would be advisable that he should be present in all such cases?—I should not have the least objection to that.

1576. Would you think it desirable to render it necessary that he should be present?—I would prefer it myself. The odium resting on any of the bench who happened to be employers would then be taken away.

1577. Mr. *M'Lagan.*] We have had it stated in evidence that the shorter the contract the longer the men remain in their employment, is that consistent with your experience?—No, certainly not.

1578. It was stated, that in Scotland, when daily contracts were substituted for hourly contracts, the men stayed much longer?—That would not be the case in our district. I have 540 or 550 men cutting coal at Seaton Delaval; they cannot get all places alike, and if a man got balloted to a place which turned out a little worse than the next place, he would go off.

1579. Do the men prefer long or short contracts?—They like monthly contracts better than 12 months contracts.

1580. Would they prefer fortnights contracts to monthly contracts?—No; I do not think our men would.

1581. You do not approve of following the man's wages?—No.

1582. Supposing any alteration in the law to be made, so that the man could not be prosecuted criminally, the master would have no recourse against the man, if you did not allow him to follow the man's wages or sell him up?—The best way would be to get quit of such a character as that.

1583. Mr. *George.*] I understand you to say, that in most instances, a summons is issued in these mining cases in your district, against workpeople for breach of contract, and not a warrant?—A summons in the first instance, and if they have not appeared before the magistrates, then a warrant has been obtained.

1584. Is that practice of summoning a man in the first instance, a matter of courtesy, or is it so provided by the Act of Parliament under which the proceedings are taken?—You can ask for a warrant immediately.

1585. Is it under the 4th of George the Fourth, that those proceedings are taken?—It is.

1586. And not under any special Act relating to mines?—No; it is under the 4th of George the Fourth.

1587. In every instance you are entitled, under that Act, to ask for a warrant against a workman for any breach of contract?—Yes.

1588. But, according to usage and courtesy between master and workman, a summons in ordinary cases issues first?—Yes.

1589. And it is only in the case of a man absconding, or not choosing to appear to the summons, that a warrant issues?—Yes.

1590. Would you approve of that practice being made universal, that in every mere breach of contract between master and servant, a summons should issue in the first instance?—I should have no objection to that; but there are a great many trifling cases in which you would not take the trouble to get a summons, or a warrant either.

1591. How would you bring the man before the magistrates in that case?—I would not bring him before the magistrates at all; if a man misconducted himself and did not attend to the rules laid down by the colliery, I would fine him 2*s.* 6*d.* myself.

1592. I am speaking of cases where the master thinks it necessary in some shape or other to bring the workmen before the magistrates?—I should have no objection that a summons in the first instance should be got, and then if he did not appear in answer to that summons, I would issue a warrant against him.

1593. Would you apply that to all cases arising under the provisions of the 4th of George the Fourth?—I think I should.

1594. In cases that savour very much of crime; for instance, the man at the head of the shaft abandoning his employment at the moment the windlass was descending, or a case of that sort, would not you approve of an information being sworn, and a warrant being issued in the first instance, in a case of that sort where a man was guilty of an omission of that kind, which might in fact amount to a crime?—We never have such cases in our district, but if such a case did occur, I think that a little talking to the man by the master would do as much good as taking him before the magistrate.

1595. Suppose evil consequences had followed from his neglect?—Then I should get a warrant against him at once.

1596. That would be on a sworn information?—Yes.

1597. You think that there is a class of cases which may occur, though they do not appear to have occurred in your own experience, in which the simple process of issuing a summons would not be sufficient?—That might happen.

1598. In those cases you think that there ought to be a special sworn information as the ground of a warrant being issued by the magistrates?—Yes; but if an engine-man, for instance, made a little mistake, I would merely talk to that man, but would not discharge him.

1598*. You think that in such cases as I have suggested, he ought to be taken by a warrant?—Yes, if taken at all.

1599. Do you, as master, think that that ought to satisfy the workmen, that the general rule under the Act of George the Fourth should be the suing of a summons subject to the master on his own responsibility, swearing an information, and getting a warrant in cases in which he thought he was justified in so doing?—Yes, if a very bad case.

1600. Mr. *Jackson.*] If you took a case before a magistrate and asked for a warrant, would he not before granting that warrant, inquire the grounds upon which you sought for that warrant?—Yes.

1601. And he would judge whether a summons was sufficient or not?—In my experience the

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practice has been this; if a master got a summons and served it upon a man, and he did not put in an appearance at the meeting of the magistrates he would then apply for a warrant.

1602. Supposing that he applied for a warrant first, would not the magistrate suggest that a summons would be the better step; he would judge whether it should be a summons or a warrant?—Yes.

1603. It would not rest with you, whether a warrant should be issued, but with the magistrates?—Yes.

1604. And in the event of a fine only being allowed to be inflicted, and not imprisonment, and a man was fined, say 2 *l.*, and his fellow-workmen clubbed together, and each gave sixpence or a shilling, would that, in your opinion, be a sufficient punishment in all cases?—No, I do not think that it would be.

1605. You think that imprisonment would be necessary, in many cases, in order to make the rest of the workmen feel that the law had them in their power, and that punishment would ensue on a breach of contract?—No, question of it.

1606. Is it your opinion, that if the workmen found that imprisonment was done away with, and that a fine only could be levied, it would tend to keep them in better order, or would be better for themselves?—I have very great doubts about its keeping them in better order; when they knew that they could be imprisoned, they would do their duty, but not if they knew that a fine merely were to be imposed; but in this case, the magistrates would have the power either to fine or to imprison.

1607. And in the event of the fine not being paid, they would have the power to send the man to gaol?—Yes.

1608. Do you think that a man's knowing that he could be imprisoned, would have a much better effect than knowing that a fine only could be levied?—That is my opinion.

William Prowting Roberts, Esquire, called in; and Examined.

W. P. Roberts, Esq.

1609. *Chairman.*] I believe you are a solicitor at Manchester?—Yes.

1610. In the course of your professional business, I presume your attention has been more or less directed to the Acts which we are considering?—The greater part of my professional business has been connected with the working classes.

1611. In connection specially with these master and servant Acts?—Yes.

1612. For how many years have you been professionally employed in these cases?—Thirty years.

1613. Do you find cases of prosecution under these Acts increasing or diminishing in number?—I do not like to answer that positively; I think they are on the increase.

1614. Is your experience confined to your own district, or are you employed generally throughout the country?—I go to most parts of England.

1615. Are you aware of the number of prosecutions under these Acts annually?—Not at all.

1616. You are not aware that in the Parliamentary Returns, headed "Judicial Statistics of England and Wales, 1864," under the heading of "Prosecutions under the Laws relating to Servants, Apprentices, and Masters," in 1862 there were 7,637 cases; in 1863, 8,504 cases; and in 1864, 10,246 cases?—I was not aware of that fact.

1617. Is that a greater or a less number of cases than you would have supposed?—No, I should have named 10,000, had I been asked.

1618. How many cases have you yourself had experience of in the last year?—My experience of these cases of breach of contract is not perhaps to be measured by the number, because the cases in which I have been engaged, are cases of very great importance, upon which large sums have been depending, and in which I have been usually employed by persons from a distance, and who generally employ the attornies in their own district. I have had some hundreds of cases.

1619. I suppose that no person could tell us better than yourself the exact bearing of the law as regards both master and servant; will you tell us first the exact state of the law as regards the master in his relation to the servant in all matters of contract?—The master when opposed by the servant, is exactly in the same position as when opposed by anybody else; the servant has no special remedy against the master more than any other person has except with regard to the recovery of wages.

1620. What is his position as regards the recovery of wages?—With regard to the recovery of wages, the workman has the power of summoning the master before the magistrates.

1621. Is there any limit to the amount?—There is; it is part of the injustice of the case; the limit is to 5 *l.*, except when the master is away, and then I believe that a steward or an agent may be summoned for any sum not exceeding 10 *l.*

1622. As regards that limit, is there any distinction between husbandry wages and other descriptions of wages?—No, not that I am aware of.

1623. It is not the case, as far as you are aware, that in cases of husbandry the summons can be up to 10 *l.*, and in other cases only up to 5 *l.*?—I was not aware of that; I have not been employed in husbandry cases.

1624. Has the servant any other special remedy against the master?—I am not aware of any other distinction with regard to masters when proceeded against by working men but that which I have mentioned, that the workman can sue summarily for his wages through the justices of of the peace.

1625. Supposing a workman summon a master for breach of contract for non-payment of wages, and judgment is given in favour of the servant, and the master has to pay the wages, what remedy has the workman, supposing the master does not pay, or has not the means of paying?—Then the master is liable to the ordinary operations of Jervis's Act, which first of all gives the power of distress, if he is not willing to pay, though able to pay; and then, if he is neither able nor willing to pay, gives the remedy against him of sending him to prison; but he may then or afterwards pay, and so release himself.

1626. That remedy of imprisonment which a servant has, in case of non-payment by the master, is not given under what is commonly called

called the Law of Master and Servant, viz., the 4 Geo. 4, but under the law of the land, commonly called Jervis's Act?—Yes; the 11 & 12 Vict., which is a general Act, regulating the administration of justice before magistrates throughout the kingdom.

1627. So that practically a servant has the remedy against the master of imprisonment in case of non-payment of wages?—He has the same remedy against the master that any other person would have against the master who refused to perform an act ordered by the magistrates.

1628. Practically it comes to this, that in the case of a master breaking his contract, and not paying, or not being able to pay the servant, under the general law of the land, though not under the special statutes regulating relations between master and servant, has the remedy of imprisonment, in the case of no effects, against the master?—Yes; but not always so. That remedy would be in abeyance if the master were bankrupt.

1629. When you say if he were bankrupt, do you mean if he had no effects, or if he had passed as a bankrupt?—If he were a bankrupt the law is that, up to a certain sum, the effects must pay the servant in full; after that sum is reached he shares with the other creditors; and, though I have never had a case of it, I have no doubt whatever that the remedy of imprisonment altogether ceases then, and it becomes a debt. There certainly are, as I recollect, other powers which the workman has against the master, under the Mines Acts, for instance as to the appointment of a weighman, and so on; and there are some other Acts of Parliament under which a workman has the power of bringing the employer before a magistrate.

1630. That is under the Mines Inspection Act?—Under the Mines Inspection Act, for not giving sufficient ventilation and several other things, and under some other Acts relating to miners.

1631. That only applies to miners?—That only applies to miners.

1632. Powers such as that do not apply to other employments, such as potteries or iron works?—No.

1633. Are there any such remedies in the Factory Act?—Yes, certainly; I have had very little experience of them, but there is the power of summoning a master for employing children under age, and a variety of other powers.

1634. Is there any other point which you wish to speak to as regards the position of master and workman, so far as regards the master?—No. With regard to all those there is no power of imprisoning the employer.

1635. Unless possibly under Jervis's Act?—Yes, when he would be liable just the same as for any other violation of the law.

1636. Having stated the law as regards the master, will you now state how the law stands as regards the servant?—With regard to the servant, the main distinction between the servant and the master is that some breaches of contract, classed together under the words "misconduct" and "misdemeanor," carry with them the liability to imprisonment if committed by the workman, and not if committed by the master. If analogous acts are committed by the master, he, so far as imprisonment is concerned, goes scot free.

1637. Analogous acts such as what?—I conceive, if the Act of Parliament were carried out in its strictness, that if the workman were to use abusive language to the employer he could be sent to prison for that.

1638. Would that come under the head of misdemeanor or misconduct?—I have known magistrates who have so interpreted very small matters, the word "misconduct."

1639. Do you think that a legitimate interpretation, or a strained interpretation, of the intention of the law and of the wording?—I should consider it a strained interpretation, and a very cruel interpretation; but there are many considerations which operate on the relations of master and servant when brought before a magistrate which do not operate in any other cases whatever.

1640. Have you known cases of men who have been imprisoned for using abusive language?—I cannot call to mind one, but I will not speak positively.

1641. You cannot speak to the word "misconduct" having been construed to mean the using of abusive language?—No.

1642. Have any recent cases of that kind occurred within your knowledge?—No; certainly since this Committee has been appointed, and of late years before, there has been more attention paid to justice, in the administration of the law, than previously.

1643. To what do you attribute that change?—I attribute it very much to the publicity of news, the penny papers, and so on.

1644. To the moral influence of public opinion?—Yes.

1645. You say that there is an inequality in the position of master and servant; that is to say, that the servant can be prosecuted in similar cases to those in which the master cannot be prosecuted, are there any other inequalities?—There are many others. There is the great inequality, which is the subject of your inquiry, that breaches of contract, by employers, are not punishable by imprisonment, whereas they are if committed by the workman.

1646. That you consider to be an inequality that ought to be remedied?—Yes; I consider it to be fraught with evils of a much larger kind than are usually taken into people's consideration, far beyond the actual difference. The difference, in fact, makes the workmen a degraded class; it creates a class of persons who, for breaches of contract, are subject to imprisonment, while other classes, for breaches of contract of equal importance, are not subject to imprisonment. It confounds fraud and debt together, in the case of workmen, whereas it is distinctive to a nicety, in all other classes, with regard to fraud and debt, or civil engagements.

1647. In short, you agree with the view taken by the representatives of the servant class that have appeared before this Committee; namely, that the law ought to be amended, inasmuch as it treats a breach of contract, which is a civil matter, as a criminal proceeding?—Yes; that correctly defines my view.

1648. In that respect, you think the law requires amendment?—Decidedly.

1649. Do you think that cases might arise where, in the interests even of the employed themselves, it might be desirable that there should be stringent powers of enforcing contracts, as by breaches of those contracts the employed might lose their employment. For in-

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stance, an engineman in a pit might leave his employment without notice, whereby the mine might become flooded and persons might be thrown out of employ, and the employer seriously damaged in his property, do you not think that cases such as those ought to be specially dealt with?—Certainly not; they are cases exceptional with regard to the work, which is generally done by the individual, but they are not exceptional, with regard to the work which is done by other classes of society; a lawyer, for instance, by refusing or failing to prepare a marriage settlement, at the time he was required to do so, might create incalculable mischief.

1650. Is there any remedy against a lawyer in such case as you have specified?—Not the slightest; you cannot send him to prison; Heaven forbid that you should have that power.

1651. Can he be fined or punished in any way?—Yes; by an action for damages. An upholsterer might create mischief by not doing the work he had undertaken to do. A man making gunpowder might set fire to a town. There was a man who was guilty of something approaching criminality in a vessel at Liverpool six or nine months ago; some paraffin oil got through; it was known that it would explode; everybody got out of the way, but a large portion of the town was fearfully shaken There is no punishment or imprisonment for him. I think, in this matter, we forget that the position of the workman is much altered since these laws were first made. These laws are all derived from the times when the workmen were a very different class of beings to what they are now; they are all derived from the 20 Geo. 2. At that time of day colliers were sold in slavery in Scotland, and up to the begining of the present century. That shows the different status they occupied then to what they do now. For many years after the 20 Geo. 2, and for years preceding, there was not a year passed without some Act of Parliament being passed against the liberty of the workmen, till workmen could not meet and talk in the street with safety. All those Acts (20 or 30, or 40 or 50 of them) were swept away by the Combination Act; and they were swept away on the avowed ground that the workmen had grown to be entitled to a greater degree of liberty than they were under those Acts, while existing. Since then the workman has very much altered for the better. There is a greater amount of reading, and a variety of other circumstances and considerations, which I should, perhaps, be wrong to bring forward, which make the status of the working man totally different from what it was when those Acts were passed. If the 4 Geo. 4 had been brought forward substantially by itself, it is my conviction that it would never have been passed; but it was brought forward to extend the operation of the previous Act to several trades which that Act had not comprehended.

1652. And to make the law more stringent too?—Yes; there is some little addition in that respect. Then there is the 17 Geo. 3, called the Woollen Act, which classes in a most ludicrous manner, all sorts of engagements and all sorts of thefts.

1653. That is the Jobbing Act, is it not?—They call it the Woollen Act.

1654. It applies specially to work given out on job, does it not?—Yes; but it is applied to work now done at the mills; there are no words to limit its general operation to work done on job, though there are words specially applicable to such work; work given out on job must be commenced within eight days; when the 4 Geo. 4 passed, it was made to apply to all sorts of trades which were provided for by the 17 Geo. 3, and it bore altogether rather the appearance of a Continuation Act, than of an Act which was engendered by the necessity of the times; that is the Act which is generally had recourse to in prosecutions, though I may say there are other Acts which are also had recourse to.

1655. What alteration do you propose in the Act?—I should propose that all contracts between masters and servants should be the same as contracts between other people, and tried by the county court if within its purveu, if within 50*l.*, or tried by a superior court if beyond that amount.

1656. You wish to put the master and servant on an equality with regard to contracts?—Yes; the fact is, that the words master and servant are being very much displaced by the words employer and employed.

1657. I use the term because it is the term of the Act?—It is a very good term, because it strongly illustrates the difference of position; those Acts were passed for the regulating of the relationship of master and servant; they do not enter so much into cases of contract though the relationship of master and servant is of course a contract; but at one time the courts were disposed to consider that the law, as to master and servant only applied where the servant was paid wages, and the employer had an unlimited control over the whole of his time; and that, I think, was the intention of the Legislature originally; latterly, with regard to colliers especially, that interpretation of the law has been very much modified, and, in fact, entirely done away with, and the collier is not in the ordinary position of a servant; having done the work which is considered a fair modicum of labour, he is then his own master, and he lives in his own house, and his position altogether is different from the notion we should entertain of a servant generally speaking.

1658. From your communication with the employed, in the course of your conducting so many cases, you must have had ample opportunities of judging of their views, do you think there is any strong feeling on the part of the employed against the present law?—Whenever you meet with an intelligent man, his intelligence is directed to that, and his objection is very strong.

1659. Do you think the objections are so strong and so general, that the present state of the law causes any bad feeling between employers and employed?—I cannot say that of itself it causes bad feeling, it adds to bad feeling; it is constantly used by masters as a taunt, and a very horrible one, "I will send you to prison for three months;" and it is most painful to hear it, especially when one knows that the man who uses the threat is an acquaintance of the magistrate before whom the case will be brought.

1660. By what you have just said, I may assume that you object to the present jurisdiction as well as to the law?—It is the law which gives the jurisdiction; these disputes would never have come before the justices of the peace but for the criminal nature of the proceedings; they would have gone in the ordinary course as contracts before

fore the county court; so it is the same thing to say I object to the jurisdiction and to the law.

1661. Do you think that there is a failure of justice, owing to the jurisdiction?—Terrible; language cannot describe it.

1662. That is your experience?—Yes; but I should not like to talk in that way without being allowed to give you one or two instances of it; I will mention a case, avoiding names, which occurred at Rotherham a short time ago. A person who was employed in an ironwork, had received notice to leave, or was about to leave; on leaving, he was ordered to instruct some person who was coming in his place; he refused to do so, the instruction, being, as he considered, a part of his capital; a warrant was accordingly obtained against him; he was taken when he was in bed (although his residence was perfectly known, and there was no necessity for it), and taken to the lock-ups, which are immediately under the court, and where, I believe (but I am not certain), the court was to sit the next day. None of his friends were communicated with, and it was only by accident that the fact was known. At 8 o'clock in the morning, he was taken from the lock-ups to a magistrate's house, two or three miles out of the place, and taken into a back room, where he was tried, the only persons present being a clerk of the clerk to the magistrates, two or three policemen, and either the employer or somebody attending on the part of the employer.

1663. In what position in life was the justice before whom he was tried?—He was a gentleman of fortune, I believe.

1664. He was not an owner of an ironworks, or anything of that kind?—No. By this time the friends of the man got to know of the matter; they did not consider that there was any misdemeanor; they thought the man had done perfectly right in refusing to convey the information that was required of him, and they went to the house, and three of them asked to be admitted to give evidence, but they were refused. By this time the father had got to know that the man had been apprehended, and he came up, and, as he came to the door, the son was being conveyed for a month to prison at the Wakefield Gaol. The case created a great deal of sensation about Rotherham, and the parties came to me about it. I advised that a letter should be written at once to Mr. Roebuck, giving him a statement of the case; this was done; and I have every reason to be thankful to that gentleman for the attention which he paid to the case. I have forgotten to whom he went, but I know it ended in this, that the statement I sent up was sent to the Secretary of State, and in due time there came the ordinary lithogram, expressing great regret that nothing could be done. There was as gross a failure of justice as could be. I do not believe that such a failure of justice could have occurred in any other country than this.

1665. What was the date of that case?—It occurred within the last twelve months. There was another case which I would like to mention, which occurred at Barnard Castle. A builder who had several men in his employ applied to a magistrate for a warrant against some of the men for some very trifling matter or other, I have forgotten what. The magistrate to whom he applied was a clergyman who does not often act, but who lived very close to this builder; he applied to him for a warrant against those men, and, perhaps I may be allowed to say, in passing, that I think the warrant in all these cases is a very gross hardship; it does not tell the man what he is accused of; the warrant is not left with him, he is merely told, "Come along, and you will know when you get into court;" that is the common phrase. The warrant having been obtained from this magistrate, five or six or seven men were taken out of their beds to a place three miles off; they were all taken handcuffed (they almost always use handcuffs in these cases) along those three miles to Barnard Castle; they were put into a cell, no refreshment being given to them, which I mention simply because that was one of the points that was relied upon afterwards. They did see a friend or two, and they were told that the trial was to come on the next day early. The friends went to three attorneys, all of whom were engaged; one of the men supposing that one of the attorneys to whom they went was not engaged, being refused admittance by door, got in by his window, and tried to induce him, sitting in his bedroom, to come and defend the men. He said he could not go, he was engaged, and so they failed to obtain his assistance. There is a union there of working men, and the secretary of that union went at 6 o'clock the next morning to the magistrate who it was said was to sit, and asked him to put the case off for a short time, stating that the men had had no opportunity of obtaining professional advice, that they were starved, and, altogether, that the ends of justice would be much better served by a short adjournment being given to them. He refused it. Though there is a court-house at the place, the men were never brought there; they were brought into the magistrate's clerk's office There were two or three policemen present. The person who had gone to the reverend gentleman applied to be present, and was refused, and then the case was entered into at 7 o'clock. There was no punishment inflicted upon the men (and this is one of the injurious effects of the law); but the law was applied in what I may call its torturing process. The law is not always applied as a means of punishing. Frequently the course is pursued which was pursued in this case, which was this: the master said, "I can send you to prison for three months with hard labour, will you go back to your work?" So it is, as it were, that exemption from punishment is sold to the men. Those men agreed to go back to their work. There was strong sympathy brought about in their favour, and the case came before the Queen's Bench. A criminal information was moved for against the magistrate; but inasmuch as we could not prove that he was corrupt, or that he was paid for doing this, our application failed, though the judges severely censured the whole practice; they said at the same time that what we complained of was legal, and we got no redress or any good, except what good may be supposed to be gained by its exposure.

1666. When did this case occur?—Five years ago.

1667. Have you any other instance you wish to bring before the Committee?—I think the Committee should be aware of a decision which has lately taken place, and which gives enormous power to the magistrates. I do not know the name of the case, but the case it quotes is called "Baker's Case." In Baker's case, in which I was concerned, the servant proceeded against had been committed to prison for two or three

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months, and on coming out of prison he had been required to go back to his work, on the ground that the contract he had entered into was not completed. He declined to go back, and thereupon he was brought again before the stipendiary magistrate for the Potteries, and re-committed for another month or two. I was then employed for Baker, and I brought the case by Habeas Corpus before the Court of Queen's Bench. The Court of Queen's Bench held that the man might be committed over and over and over again; that there was, in fact, no end to the power of commitment; that a refusal to return to his work was an unlawful absence from his work. It was contended, on the other hand, that if the master had turned him away, the master would only have been liable to one penalty. The men who employed me were very enthusiastic and very determined, and having had a very strong opinion upon the case, we took it to the Court of Exchequer, and in the Court of Exchequer we succeeded in obtaining the discharge of the man. Sir Frederick Pollock was very indignant at the power claimed by the magistrates, and gave strong and sound reasons against it, quoting other Acts of Parliament where the power of imprisonment was defined "from time to time," which is not the case with this Act, and he gave many other reasons. It was only by a bare majority, however, that I obtained the man's release.

1668. So that the law laid down by that case is, that one sentence and imprisonment puts an end to the contract?—Yes; that the man having left, and having been punished for it, is discharged.

1669. That will in future be the rule, you imagine?—No; because during the last two months there has been another case exactly similar, in which the case of Baker was referred to, and relied upon in favour of the man; but the Queen's Bench refused to be bound by it, and decided that the man was liable to a second imprisonment, and to imprisonment again as often as he refused to return to his work.

1670. So that the Queen's Bench held by its previous decision?—Yes; and the case having been brought by Habeas Corpus, there being no settled law upon the subject, it stands in the way I describe. One of the judges suggested that the next case should be taken before the Common Pleas, which has not yet had its attention drawn to the case. Mr. Justice Shee was very strongly in favour of the man and against this second trial, but as the rest of the Court were the other way, he yielded to their opinion.

1671. Mr. Alderman *Salomons.*] How were the judges divided?—They were all one way except Mr. Justice Shee.

1672. *Chairman.*] Is that case to be carried further?—I do not know; I have watched the newspapers, but have not seen anything about it. Practically, the man would be brought up again before the magistrates, and then asked to return to his work, and very possibly he would return to his work. There is no mode of ascertaining the law in these cases. The decision which I have just spoken of must not be taken as absolutely the law. It would be the law as to that man, but the decision on a writ of Habeas Corpus does not make the law; though perhaps if the Court of Exchequer were to reverse its decision and the Court of Common Pleas to hold with the Queen's Bench, then that might be taken as the law; but if the law is to stand, as laid down by the Queen's Bench, it is a very dreadful state of things, because if the man, instead of being imprisoned, during the time he was imprisoned had absented himself (supposing he had gone away to America, for instance, and had then come back), he could only have been punished once for all that time; the justices could not, after a man's absence for a week, punish him for the Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday; and yet that would seem to follow from the decision of the Court of Queen's Bench in this late case, that as often as he refused to go back to his work so often he was liable to punishment.

1673. With regard to the question of jurisdiction, objecting as you do to the present state of the law, before what tribunal do you think these cases should be brought?—Before the county court judge; they should be treated as cases of contract.

1674. You would have no criminal element at all left in the law?—No, unless it applied equally to masters; so long as it was a contract, I would have no criminality about it.

1675. It has been suggested to the Committee that a change might be made in the law to this effect, that an option should be given to the magistrate trying the case, to fine or imprison, at his discretion, according to the nature of the case?—He has that power already.

1676. Has he now the power of fining or imprisoning at his option?—Yes.

1677. Will you state exactly what the powers of the magistrate are in dealing with these cases?—The Act provides that "It shall and may be lawful for such justices to commit every such person to the house of correction, there to remain, and be held to hard labour for a reasonable time, not exceeding three months, and to abate a proportionable part of his or her wages" (that is what I mean by fining) "for and during such period as he or she shall be confined in the house of correction, or in lieu thereof to punish the offender by abating the whole or any part of his or her wages, or to discharge such servant," &c.

1678. That hardly gives an option, does it?—No, not of fining as it may be interpreted. With respect to those words, "to abate a proportionable part of his or her wages," that shows that the Act originally referred to persons receiving wages rather by the day than by the work which they were doing.

1679. Mr. *Potter.*] Does not it refer to certain classes of work that could not be done by the day, and which never was paid for by the day?—Certainly that is an argument against that view of the Act; but at the time when the Act was passed more people were paid by wages than as they are now by the piece.

1680. *Chairman.*] Having looked at the Act, do you think that that suggestion is one which you would approve of, namely, that an option should be left with the magistrate, or the tribunal trying the case, of awarding a fine or imprisonment?—My objection is altogether to its going before a magistrate; it is not that I dislike the magistrate as a tribunal, because I think, in many cases, his judgment is the best that could be obtained; but it is from the relation in which the magistrates stand to employers of labour; in nine cases out of 10, the employer and the justices live within two or three miles of each other, and in a vast number of cases in the north, the magistrates are every one of them directly interested in the matter.

1681. The

1681. The question I asked you was, whether, in the first place, you saw any objection to such a change of the law as that there should be an option of fining a man instead of imprisoning him (the suggestion having been made here, that warrants should not be issued except in extreme cases of men absconding and not appearing to a summons); that in all cases a summons should be first issued, and that the person trying the case should have the option of imposing a fine or imprisonment?—I can see no objection to that.

1682. But you object to such cases being tried before magistrates?—Yes.

1683. Owing to the failure of justice, from your experience, arising out of their sympathy with the employer who is prosecuting?—Yes; a natural rather than an unfair sympathy. They see the masters in an elevated position; they see the workmen in a degraded position; and human nature is human nature.

1684. Supposing the case is the case of a coalowner, does the law prohibit another coalowner adjudicating on a miner's case?—Not at all; the practice is for coalowners to adjudicate upon them in South Wales, and the groanings of the colliers under that practice (the word "complaints" would hardly express the feeling) are lamentable.

1685. Would your objection be met by such a change in the law that in all mining cases no person connected with mining should sit upon the bench and adjudicate in such cases?—No, not even that would meet my objection. Everybody in South Wales and in Durham and Northumberland is more or less connected with mining. He is dependent upon it, or his relations or friends are. A stipendiary magistrate would be the best. A stipendiary magistrate is by his previous education, and so on, more restrained.

1686. But stipendiary magistrates not being universal, that would entail the appointment of a great many more stipendiary magistrates?—Yes.

1687. And that, you think, would be a necessary part of any change in the law?—No; my view is that the matter should go to the county court, though I think a stipendiary magistrate ought to be the tribunal for offences against the Combination Act.

1688. But that there should be merely imprisonment in the other case, not as a punishment, but in case of non-payment of fine, and that these cases should only go to the county court?—Exactly so.

1689. So that, practically, you do away with the alternative of imprisonment as a punishment?—Not exactly; I do not think that thoroughly explains what I mean. I think the language is calculated to convey misapprehension. When I say that I would rather refer a matter to the county court, the county court has a power of imprisonment; but then the county court must first of all summon the man, and see whether he has any means of payment. Now, in the case of a workman, he might not have any means of payment; and if a fine was a proper punishment, imprisonment as an alternative for not doing what he could not do, could not be a proper punishment; so it seems to me.

1690. Then you qualify your former answer on the option of imprisonment to this effect, that imprisonment should only take place when there is no means of payment?—Not so; what I meant was—that which I was told had been suggested to the Committee—that there should be an additional power of imposing a fine as an alternative of imprisonment. If the man has no means of payment, I object to a fine as an alternative of punishment.

1691. Yes; to that you object?—No; I object to the tribunal altogether; if the tribunal is to exist as it does, I do not know that it would be improved by the alternative of the power to fine, or the contrary.

1692. But supposing the county court, to which you say these cases ought to be referred, can only inflict imprisonment, not criminally, but only on failure of payment, would you object to the county court, or the stipendiary magistrate, or some such body having the alternative power to which you refer, namely, the power of inflicting a fine, or awarding imprisonment, according to the gravity of the offence committed?—I should not object to the county court having the same power to deal with these contracts that it has to deal with other contracts; but I should object to its having any exceptional power; and I should object altogether to the matter going before the stipendiary magistrate, or any other magistrate, because I think that the taking of it before the magistrate is the very thing that gives the offence its criminal character. The magistrates formerly used to deal with all the cases under the Friendly Societies Acts; gradually these have been eliminated from their jurisdiction, and now the magistrates have no jurisdiction under the Friendly Societies Acts, except in case of fraud. There has been done, with regard to the Friendly Societies Acts, in fact, just what we are endeavouring to do now, that is to say, the cases are all taken into the county court.

1693. What was the position of the men formerly under the Friendly Societies Acts?—That all complaints of non-payment in sickness, and complaints of this, that, or the other; any violation of a contract which a man entered into with a friendly society, or a friendly society entered into with him, was, till comparatively lately, taken before a magistrate; now they are all taken before the county court.

1694. And had the magistrate then the power of awarding imprisonment in the case of non-payment?—Yes; as he has now in the case of fraud. The offence of fraud still goes before the magistrate, and so it would under the ordinary operation of the criminal law; and, in fact, our objection to these "contract" cases going before the magistrate is, that it gives the criminal ingredient.

1695. It gives a criminal character to it, which you think, under no circumstances, it ought to have?—Under no circumstances would I have it go before a magistrate.

1696. You cannot conceive any case, either in mines or elsewhere, where the wilful injury done to the employers and the employed is such as to justify criminal proceedings?—Not as long as wilful injury of the same sort, committed by other persons, is not liable to criminal jurisdiction.

1697. Wilful injury committed by other persons; explain yourself, please?—By work people; such, for instance, as I have illustrated. A man cutting down trees, he has a fine to pay; it is wilful damage; and by cutting down a tree he may create far more damage than money could repay; but you cannot visit him with imprisonment; at all events, not under summary jurisdiction.

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1698. Do you think that cases might arise where, in mines and elsewhere, it might be necessary to have, for the protection of the employer and employed also, more stringent powers than you propose to give by your suggested alteration of the law?—I should give no more power, in the case of persons employed in mines, than already exists with regard to other persons. Where with others it is criminal, it should be criminal; where with others it is subject to a civil remedy, it should be so with them. There are particular cases in which I should not object to it; such, for instance, as the necessity for certain rules in the case of colliers as to the use of lamps, and so forth; as to the punishment of a man who takes off the cover of his lamp, and thereby endangers the safety of others, because I conceive the same law would be applied, if ever the necessity should arise, to analogous cases.

1699. Such cases are provided for under the Miners Inspection Act?—Yes.

1700. But, as a general rule, you lay down the principle that, in all these cases of contract, master and servant should be allowed to make their own engagement, and that in no case should any criminality arise from breach of contract; it should be a civil proceeding wholly and entirely?—Certainly.

1701. And be dealt with wholly civilly?—Yes; and that not merely on the principle of avoiding any exceptional legislation against these particular workmen, but because the position of a justice of the peace, before whom these cases are brought, is not one calculated to beget confidence or to ensure justice.

1702. That is another reason; but, irrespective of the tribunal, do you object to it on principle?—Yes.

1703. Whatever the tribunal, even if the tribunal were specially created for the purpose of avoiding the evils which you say attach to the present tribunals, you would object to any criminality entering in any way into the question of contracts between masters and servants?—Certainly.

1704. You say the law in this country in such cases exists in no other country in the world; are you conversant with the state of the law as regards masters and servants in other parts of the world?—Only so far as persons of education usually are. I have had no special acquaintance with it.

1705. I mean that in defending cases here, you have never adduced the state of the law in other countries to show that it is worse here than there?—I have not.

1706. You do not know the state of the law in France, for instance?—I do not know; but I cannot believe that it is the same there as here. Will you allow me to mention a case that occurred here; your Lordship was good enough to ask me to mention a case.

1707. But we had better finish this first; you cannot speak as to the state of the law in France?—No, I cannot.

1708. But your conviction is that it cannot be such as it is here?—That is my conviction.

1709. It is only a conviction founded upon what you believe to be the injustice of the law here?—I believe that if such an administration existed in other countries, it would have been published in this country, as showing the superior liberty enjoyed by Englishmen over other countries.

1710. But whether as regards France or America, or any other country, you cannot speak as to the state of the law in any of these countries?—No, I cannot.

1711. Now, if you please, will you go on with the case which you wished further to adduce?—There was a case in South Wales; the men who were employed by a coalowner there believed, from observation, that they were not allowed for their full weight of coal, and one morning they all met together and refused to go down the pit under this impression. The employer came out while they were standing about, and required them to go down. They stated their objection, and he immediately had some tubs weighed, and found that to some extent, I do not know whether to the full extent which the men thought, but that to some extent, the men's observation was correct, and they had not been paid for the full weight which they obtained from the pit. However, he ordered them to go down, and said that it should be remedied at some time or other. The men refused; they were, as they called it, agitated, and they went home. In the course of a few hours afterwards, or the next day, I do not know which, they went to the master again, and asked him to appoint a "weigh man," as was provided for by the Act of Parliament; this he refused to do, and in the meantime the master obtained warrants against them all; when he had obtained the warrants, the men offered to return to their work, and serve their time out, thinking it would be better to serve their time, that is, to give notice, and to work their month out than to incur the penalties which might ensue if they refused to work altogether; however, nothing was done about that; the men were taken into custody very soon afterwards, and were confined together, five or six of them. It was the middle of winter; the next day before it was light they were all taken, handcuffed, over the snow to Tredegar, and there they were tried; they were tried by the magistrate who always sat with the magistrates who were prosecuting; the magistrates who prosecuted them were magistrates of the very court where they were tried; of course they did not sit in this case, but a magistrate who continually sat with them did try the men; some friends applied to me by telegraph; I was at Manchester, and was not able to come immediately, but I telegraphed to the magistrate, requesting a postponement of the case, saying that I was on my way; the magistrate refused to postpone the case; he was a clergyman, and the case proceeded. The men obtained then another advocate, Mr. Plews, who stated that called upon on a sudden as he was, and the thing being complicated, he very likely should not finish his defences until 12 o'clock at night, and on that intimation the magistrate consented to a postponement; it was only one magistrate; these cases need only be tried by one magistrate; and that is part of the hardship; the magistrate consented to a postponement, and the cases were put off for a week, and the men were let out on bail. Now, in this case there was a fair objection by the men; the weight was proved to be incorrect, that is, their objection was proved to be founded on fact, and notwithstanding that they were dragged in this way upwards of eight miles, I believe. They were taken, I believe, from Blaina to Tredegar and that distance is upwards of eight miles, and they were afterwards tried; one, I believe, had been tried before

before I got there, and before Mr. Plews came, and had received some sentence. The case went on, and I found I could not meet the position that the men had refused to go down, although I contended that the circumstances of that refusal justified them; but I took up another point, that the masters had agreed to pay those men as part of their wages in "truck-shop" goods, and that a part of the contract being thus bad, the whole of the contract was bad. The magistrate refused to allow me to go into that defence, and said it had nothing to do with the case. There was an adjournment, and I came and saw some nobleman, who takes great interest in these matters; I have forgotten his name; the Marquis of Townshend, I think; and I went with him to Lord Westbury, and Lord Westbury, I was told, wrote to this magistrate. However, when I got back again, there was the same determination not to allow this truck portion of the case to be gone into. I brought forward case after case that had been decided by the courts to show that, where a contract is bad, especially where it is criminally bad in one part, it is altogether bad. However, the magistrate would not hold with me, and so the case went on. The men got off, after all. But that is one of the instances of the cruelty which exists where the magistrate and the employer live together, or near to each other. Here two magistrates were the prosecutor; there is no need of concealing the name; the employers were Messrs. Levick, both of them justices of the peace. The Lord Chancellor wrote to me, asking me to send him a list of the names of the magistrates who practised "truck," and I sent him a list, but nothing was done.

1712. Mr. Alderman *Salomons.*] The men were acquitted?—No, they were not acquitted; the prosecutors withdrew all but one of them, and as to that one, they sentenced him to an hour's imprisonment, or something like that, which came to the same thing as an acquittal And now I may mention, in connection with this matter, that a case arose out of it which afterwards went to Monmouth Assizes. At the Monmouth Assizes it was contended that the truck was perfectly fair and legal. Among other evidence that was brought was the evidence of Mr. Brown, a magistrate, who swore that, as soon as the Truck Act was passed, all the magistrates had met together to devise some means of evading it; and the means of evading it were, that the workman should go round to a pay office of the master and receive his wages, and then should go round to the shop where he got his goods—they joined each other—and that the money should be thrown through a window from the one place to the other; so that one piece of money went round and round during the whole of the day. I wrote again to the Lord Chancellor, suggesting that magistrates who could meet together for the purpose of forming a code, having for its object the deprivation of this law—of the benefit it was intended to convey—ought not to be allowed to sit as magistrates. However, that came to nothing; but the magistrates in these cases are the very tribunal to whom you must apply in "truck" cases. Now, it seems utterly absurd to suppose that magistrates themselves carrying on the same system, and having entered into such an arrangement as I have stated, would ever join in convicting a brother magistrate for a similar deviation from the law. That is one of those circumstances which I was anxious to bring before the Committee, as showing the necessity for employing stipendiary magistrates.

1713. *Chairman.*] Are you in favour of any additional appellate jurisdiction?—There never will be justice evenly done, I think, unless there is an appellate jurisdiction; the present appellate jurisdiction is simply the Secretary of State. He sends a complaint to the magistrate, who, if he has got any knowledge at all, can of course give a sufficient answer for his conduct, such, for instance, as trying the case at his house, shutting out the witnesses, and so on; he would say that the witnesses were not shut out, or that he did not know it, or what not; but the explanation is never submitted to the person who sends the complaint. That statement of the justice never comes before the other party to it; all that comes is a letter, of which I have, I suppose, two or three scores, to the effect that the case has been considered anxiously, and so forth, but that there is no redress.

1714. Have you considered the simplest and easiest way of establishing a sufficient appellate jurisdiction?—No, I have not; I really do not know.

1715. Assuming these cases still to be tried before the magistrates, can you suggest any changes in the way in which they are tried which would obviate any objections which you trace, and which others trace, to their jurisdiction?—Well, I could suggest this, that it should be in the power of the workmen to have a shorthand writer to take an account of all the proceedings, and that he should have power to lay that statement before a judge.

1716. If his friends were dissatisfied with the verdict?—Yes. That is a rough mode of putting it; it might be to put it before three county court judges, or any other appellate jurisdiction.

1717. Perhaps you will consider these two points, viz., a system of easy appellate jurisdiction, and any changes which you think, from your experience, might be advantageously introduced into the present system of trying these cases before the ordinary justices, and either put it in writing, or give it in evidence before the Committee?—I shall be very happy indeed to do so.

1718. Mr. Alderman *Salomons.*] And as to the question whether the mode suggested would be cheaper than the present?——

1719. *Chairman.*] Any appellate jurisdiction such as you contemplate would add to the expense in such cases, would it not; at least as regards the appellate jurisdiction, not necessarily, of course, as regards the other?—An appellate jurisdiction would certainly entail further expense; I do not know anything in this country that can be done without expense.

1720. In what description of trades do cases under the Masters and Servants Acts, in your experience, chiefly arise?—Principally in the colliers and bricklayers.

1721. Bricklayers, not brickmakers?—Brickmakers and bricklayers, and bricklayers' labourers.

1722. And in what part of England do collier cases chiefly arise?—Formerly I used to be employed in all the cases in Northumberland and Durham; latterly I have not been so, but only occasionally. There are a great many in Northumberland and Durham, and in South Wales there are a great many. A great deal of good

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good has been effected lately by the appointment of inspectors of mines, so much that one can only wish there were more of them.

1723. You say, a great deal of good has resulted from the appointment of inspectors of mines; do you mean good, as regards the question we are now considering, the service contracts?—No.

1724. But with reference to these cases under the Masters and Servants Act, you say the cases arise mostly in Wales and in the north of England?—And in Sheffield and Derbyshire.

1725. Not so much in Lancashire?—Not so much in Lancashire.

1726. Mr. *Jackson.*] You say, in Derbyshire?—Yes, in Derbyshire.

1727. What part?—In the neighbourhood of Derby and Ecclestone.

1728. To what do you attribute the difference, that in one part of England these cases are more frequent than in the other, in the same description of work?—I think that they very probably do exist all over the country; in fact, they must with such a large number as 10,000, but we do not hear of them; I only hear of those cases which are of considerable importance. Of course the legal assistance of gentlemen can be obtained on the spot, where the dispute occurs, at an easier rate than if the parties sent to a distance.

1729. *Chairman.*] You have mentioned bricklayers; to what do you attribute cases arising more frequently amongst bricklayers than in any other description of trade?—I really do not know.

1730. Is there anything special in the contract, betwixt master and servant, in the bricklaying trade?—No; the employers are generally a lower description of persons than in the case of colliers; a brickmaker is very frequently a brickmaster at the same time.

1731. But you said bricklayers especially?—Yes, bricklayers; I said also brickmakers; bricklayers are generally employed by persons who are contractors under others, and there is a great deal of abusive language sometimes generated by disputes; sometimes that comes before a magistrate as a case of intimidation. I have two cases in the Queen's Bench now of intimidation, in one of which a man said to the master, "We will let you see, we shall have man for man;" the master thought that two bricklayers' labourers were enough for three bricklayers; the men thought otherwise, and said, "We will let you see; we will have man for man; we will have three bricklayers' labourers for three bricklayers;" that the magistrate considered intimidation.

1732. But that does not come under this question of contract?—No; that comes under the Combination Act, as to which there is a good deal to be said.

1733. But we do not go into that; are there many cases in the iron trade and in the glass trade?—There are many cases in the iron trade and also in the glass trade, but the glass trade has not so many now as there used to be, I think; at all events, so many do not come under my cognisance; there is one very important thing I should like to mention, which I think of far greater importance than I can express in words: it is that the workmen ought to be paid once a week instead of once a month, or instead of at a longer period. The great support of the truck system is the payment of the men by long payments; in some cases for six months they have not a settlement. I was consulted the other day on this case, to know what the men were to do. In South Wales, at this very place which I have mentioned, Messrs. Levick's Colliery, Messrs. Levick had been in the habit of paying the men once a month, but they had also given them what is called a "draw" once a fortnight, pretty nearly approaching, we will suppose, half what their wages would be. Latterly he called them together, within the last 10 days or last fortnight, and told them that money was so dear, which it was, for it was just at the time of the failure of Messrs. Overend & Gurney, that he could not let them have the "draw" in future, and they must be paid once a month. Now there is a very strong incentive to the adoption of the truck system. He had the truck system on his own place at the time I have previously spoken of, but that had since been done away with.

1734. Mr. *Fawcett.*] Would you make the payment of wages once a week compulsory?—Most decidedly.

1735. *Chairman.*] Do you think that would obviate many evils of various kinds which you see now arising?—I almost think the evil of paying at a longer period than a week is as great as any other evil that you are dealing with—it deprives the wife—it sends to the pawnshop—it promotes the truck system—it encourages debt.

1736. Mr. *Jackson.*] Are you aware that by the mode in which truck wages are settled up it takes one day out of the fortnight to square all the accounts?—Yes.

1737. You would take one day, then, out of a week?—Yes, I would.

1738. You would retain from the colliery labourer one day out of six, in order that he may get less wages, by the deprivation of a day's work?—Believe me, I do not think the difference would be that, for it would beget, I believe, a better system of keeping accounts. Besides, I cannot conceive it would be the same labour to bring the accounts of a week straight, as it would be those of a fortnight.

1739. Mr. *Dalglish.*] You would pay a portion of the wages every week, although you squared up the accounts once a fortnight?—That would be a great deal better than once a month.

1740. Mr. *Jackson.*] But are you not aware, that it is the practice for all collieries of any magnitude, to pay weekly, or to give the men what they call a "sub," and to square up at the end of a fortnight?—I am aware that it is so, but I have just quoted an instance, in which, in consequence of the high price of money, it was not done.

1741. That was under special circumstances?—But the whole of the burden falls on the working man.

1742. That is the case of one colliery; you have not met with other instances?—I have heard of numbers of instances where wages are paid only once a month.

1743. Have you heard of any other instance in which, in consequence of the dear price of money, other colliers have done what Messrs. Levick have done; namely, extended their payment?—No, I have not.

1744. Mr. *Fawcett.*] But in some branches of industry it is the universal custom to pay once a month, and never to give any advance weekly or fortnightly; for instance, in the case of copper mining,

mining, it is so, is it not; are you aware of that? —I am not.

1745. Are not the men powerful enough, with the assistance of the unions, if they were very anxious to get fortnightly or weekly payments of wages, to receive them without the assistance of the law?—Practically they are not powerful enough; they do not hold together for such a purpose.

1746. But they would hold together if there was a strong feeling amongst them?—There is not a strong feeling respecting it, as a continuous injury to them. They do not feel it so strongly.

1747. They do not appreciate that injury?—They do not appreciate it.

1748. But they do in some trades; the unions would be too powerful in many trades for employers to pay wages fortnightly or monthly?—Yes; and they have succeeded in enforcing a weekly payment; there have been two or three cases of unions insisting upon payments weekly, and succeeding. At St. Helen's, where I was yesterday, there was a regular paper war about a year ago, between the masters and a very clever man, whose name I have forgotten, respecting evils incidental to these payments once a month, and through that paper war the time of payment was reduced to once a fortnight; but gradually the masters have crept back again, and I was told yesterday—I felt very much interested, and I asked about it—that the masters had got it to once in three weeks, and that eventually they would get it back to once a month. I believe that nothing but legislative enactment will do.

1749. Mr. *Jackson.*] Where was that? Mr. Lancaster has been here giving his evidence; he employs 9,000 men in the Wigan district, and I am quite sure that what you have just now asserted about the wages going on to three weeks is not the fact. You will find that in Yorkshire and Derbyshire it never goes beyond a fortnight; there is a gentleman in this room now who says that he pays 900 men weekly?—I should like, with that contradiction, to state what I do state. I state this: I know that there was a contest between the men and the masters a year ago at St. Helen's, the object of the men being to reduce the payments from monthly payments to weekly payments; that they succeeded in reducing them to fortnightly payments; but that now, I am told, I do not vouch for it, but I was told yesterday, that the masters have now made an attempt, and have partially succeeded, the name of Bromillow was given, in getting back to three weekly payments, as a step to the monthly payments.

1750. Are you aware that in Yorkshire, over an extent of mines employing 10,000 workmen, a system of weekly payments has been introduced through the action of the men themselves?—Yes.

1751. You are aware of that?—I was told of that; it was one of the instances I alluded to, where the men are sufficiently alive to their own interests, and to the evils which I have endeavoured to glance at.

1752. Does not that rather point to these questions as to the time of payment, as well as the rate of wages, being left rather to the self-acting operation of masters and servants, than to any legislative interference?—There is certainly a good deal to be said in favour of your view. On the other hand, colliers have not the benefit of education which other classes have. Colliers are a very peculiar class, and their peculiarity is not taken sufficiently into consideration. They are not only withheld from the ordinary influences of society, but they are withheld to a great extent from the ordinary influences of persons labouring in other descriptions of labour. Colliers do not meet with carpenters, colliers live all together; in a row of black houses you will see them. They meet frequently from birth to death with nothing but colliers. Therefore, exceptional legislation in their favour is but fair; when, as I hope it will be, there will be a law that the children in collieries shall be educated the same as factory children—and to which I see no objection whatever—then there will be a greater reason for the observation which your Lordship first made.

1753. Then you limit your application of this interference of the law, as regards the period for payment of wages to the case of colliers?—I do not myself at the present moment perceive the necessity of extending it beyond the case of colliers, but at the same time I object to exceptional legislation, so that I would extend it to every one, to all who are paid by wages.

1754. You wish Parliament to regulate the period at which wages should be paid in all trades; does it come to that?—Perhaps, upon consideration, I should modify that.

1755. Mr. *Fawcett.*] Why are the masters so anxious to maintain this system of fortnightly or monthly payment of wages; what advantages do they get by it?—It gives them less labour in preparing their accounts; but I do not think that if they had to prepare their accounts weekly, there would be four times the labour of preparing them monthly; but it might be twice as much.

1756. Do you think that in their own minds they believe they get any other advantage from it; you talk about the dearness of money. Do you think the interest they get from keeping this money in their own hands, instead of paying it away, is any inducement to them?—I have no doubt whatever that it is partially an inducement. I ought to mention that I never heard of such a case before as that which I mentioned just now, a gentleman refusing to give the "draw" because of the high price of money.

1757. You think it operates very badly in every respect upon the men?—Yes, so badly as to counteract all the supposed advantages of the masters. I do not believe the masters would continue the evil if it were brought forcibly before them; the practice destroys the "Home" of the men. Almost all men desire to be clean and tidy on a Sunday. It makes one set of week days till the payment comes, and then there is a saturnalia, of what sort we may suppose.

1758. You think that by the system of receiving their wages monthly the workmen are made less efficient labourers?—I do not know that it does, except, speaking generally, that the better you make the men the better labourers they are.

1759. That is what I mean: then the system you think injures the masters as well as the men?—I do.

1760. And you think that the masters, if they were aware of that, would give up the system?—I think they would, if they looked at it fairly.

1761. Therefore, what is required is rather more the enlightenment of both masters and men, than legislation?—Yes, but I think a great deal of time is required for that.

1762. Mr. *Potter.*] You have resided at Manchester

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chester a great many years, and you have not referred to the cotton trade in any of the evidence you have given, as to the period of payments?—I have not.

1763. You have no knowledge of that?—I have had a great deal to do with disputes in the cotton trade, and I know that most of their payments were weekly; at least a great number of them are.

1764. Do you not think that if the colliers found it would improve the morals of the men, they would adopt the weekly payment too?—The masters, you mean.

1765. Yes, the gentlemen master colliers?—I think they would; there are a great number who adopt the weekly payments; more who adopt the fortnightly payments; and I do not think the fortnightly payment is very objectionable, although I think the monthly payment is very bad; a fortnight one may get over

1766. Do you know any instance of monthly payment in the cotton trade, either spinning or manufacturing, that exists at the present time?—No, I do not.

1767. Would you be surprised to hear that no such thing existed?—No; I believe that no such thing does exist.

1768. Would it surprise you to hear that a considerable majority of the masters pay weekly?—That would not surprise me to hear.

1769. Mr. *Jackson.*] You stated that one reason why the masters paid fortnightly, instead of weekly, was the extra labour that would be entailed on them in keeping the accounts?—So I understand; that is the reason they give themselves.

1770. If they pay 40 per cent. out of 50 per cent. of the money earned, on the Saturday would they not have as much trouble in keeping the account of that 40 per cent. as if they paid the whole. It would all have to go into the wages books?—I should like to contend so; but they say it is not so; they say the "sub" or draw, is a simple sum against the name, and requires no calculation, or any other trouble.

1771. It has to be recorded; but you admit that the general rule among the colliers in England, we do not say anything about South Wales, that the payment is made each fortnight?—That is the general rule.

1772. Mr. *Salomons.*] Do you not think that it would tend very much to diminish the disputes between masters and servants, if all long contracts, for a year, we will say, were determinable by giving a month's notice?—That is one point to which I wished to draw attention.

1773. In all long contracts there should be the means of determining them, the same as the case of a servant by a month's, or a week's, or some notice?—It might perhaps go some way towards bringing about a beneficial change.

1774. Mr. *Dalglish.*] You quoted "Baker's" case, what was the nature of that?—A man had been sent to prison for a breach of contract.

1775. What was the nature of the contract?—I do not know. It was a question between master and servant of some kind or other, and when the man came out he was required by his employer to return to his work.

1776. The period of contract not having expired?—Not having expired, he refused to return; he was taken before Mr. Baillie Rose, and sentenced to another term of imprisonment. I brought him up here by Habeas Corpus, was unsuccessful before the Queen's Bench, and successful before the Court of Exchequer.

1777. I have all that written down; but let us suppose this case: a man has a contract with his master, the master being bound to pay the man a certain wage for six months; the master, without any proper reason, chooses to say to this man, "I shall not go on with that contract." You being employed as a lawyer by the man, how would you put that case?—Simply as a breach of contract by the master, and obtain what damages I could.

1778. What would be your claim?—I could only claim for what I should be able to prove. I had a case exactly similar the other day in the Manchester County Court I had to prove the amount of damage which the man sustained by his being deprived of the contract. In my favour was the contract, against it was what the man might earn by going to another situation.

1779. Supposing a man was engaged for six months at 1 *l.* a week, and was turned off at the end of three months, there being still 13 weeks to run, would you claim for 13 *l.*, or what?—I should claim for 13 *l.*, and the county court judge would probably give me 8 *l.*

1780. You would claim 13 *l.*?—I should claim 13 *l.*, because that might be the sum. I should claim as much as I could.

1781. Making that claim for a man to get 8 *l.*, which is equivalent to getting rather more than half your claim, what hold would the master have against the man for a similar breach of agreement?—He would have turned the man off.

1782. But I am placing it on the other side; what hold would the master have against the man, for a similar breach of agreement on the part of the man?—Only sending him to prison; having him before the magistrate. I should have to go before the county court in the case of a breach by a master; but the master would have the power of bringing the man before the magistrate, and of sending him to prison; then, when he came out of prison, sending him to prison again, and when he came out sending him again.

1783. You object to that punishment?—Most decidedly; the master would only be punished once; the man would be punished all the time; as he walked out of prison he might be told to go back again.

1784. According to your own showing, the master is not only punished, but he would be mulcted in the whole sum the man is supposed to have lost by the master's breach of agreement; you acknowledge that?—Yes.

1785. Then, take the case of the men, how does the master recover his due from the men?—Your question shows the stupidity of the present law, because if the law were altered, then the master might go into the county court, and recover damages from the men for the loss on the contract, the same as the man may now from the master. All that I say is, that the taking and sending him to prison from time to time is too oppressive, and more especially when he is sent there by a single justice.

1786. But I want you to explain to me by what means, having acknowledged in one case that you would obtain, say 8 *l.* from the master, on the other hand, a breach of contract on the part of the man, which is equivalent to 8 *l.*, the master would be able to recover the 8 *l.*?—By going to the county court.

1787. By a common action of law?—A common

mon action, the same as the man had; if I could send the master to prison for violating the contract, my dislike of the sending of the man to prison would be very much qualified.

1788. Supposing the man cannot pay the 8 *l.* that may be found owing to the master; you would take him before the county court; and if he could not pay he would still be subject to imprisonment?—He must be subject to the law of the county court. I speak rather guardedly now, for I believe the power of imprisonment is just now removed from the county court, or soon will be.

1789. It is proposed to be, is it not, or has it been done away with?—I really have not looked sufficiently at the law for the last week; but it is either done away with, or will be.

1790. Then how would you treat an apprentice?—That is another point to which I desired to call the attention of the Committee. I think the power of imprisoning an apprentice is a most horrible power; he is injured for life; the disgrace remains with him.

W. P. Roberts, Esq. 12 June 1866.

1791. Yes, in the abstract, I quite agree with you?—He is liable to be whipped; he is liable to that degradation.

1792. How would you treat in this case: supposing an apprentice has completed three years of his five of apprenticeship, and he then chooses to leave his master, and to go to another where he gets a much higher wage, would you propose to punish that apprentice, or rather not to punish him, but to compel him to fulfil his engagement?—I have thought of that.

The *Chairman* intimated that on a future occasion the Committee would hear the Witness on that point.

Mr. George Odger, called in; and Examined.

1793–4. *Chairman.*] You are Secretary, I believe, to the London Trades?—Yes.

1795–6. Your own profession is that of a shoemaker?—A shoemaker.

1797. The London trades have taken an interest in this Masters' and Servants' Committee, have they not?—Yes.

1798. This Committee originated, did it not, with a Glasgow Committee?—The last Committee, certainly, if it is the one you allude to. I should state that the London trades have taken an active interest in this matter for many years past.

1799. But the action with reference to this Committee was taken, was it not, in consequence of a general meeting of the trades from all parts of the kingdom, and at that general meeting the conduct of the business was entrusted to an executive committee from Glasgow, was it not?—Quite so.

1800. Has there been any general meeting of trades' delegates from the different parts of the kingdom since that original meeting, when the business was intrusted to the Glasgow Committee?—Not of the provincial delegates, but of the London delegates.

1801. But the appointment of the executive committee, and the entrusting of the conduct of this affair to them, was the result of the meeting of the provincial and general delegates of the united kingdom, was it not?—Quite so.

1802. And, therefore, the London delegates would have really, practically, no more voice in the matter than the delegates of Sheffield or Liverpool, or any other large town?—Not in the least.

1803. Was that meeting held last year, or the year before?—The year before last.

1804. In London?—In London.

1805. You say that, as secretary for the London trades, you have had your attention drawn to these acts; that is, you think I imagine, that some alteration is necessary in the law relating to masters and servants?—Yes, I think it is essential that the penal clauses of the Act should be entirely swept away.

1806. What trades do you represent?—As Secretary to the Council?

1807. Yes?—The amalgamated engineers, numbering 34,000; the amalgamated bricklayers, numbering 7,000; the amalgamated carpenters, numbering 7,000; the amalgamated shoemakers, I expect now numbering 9,000, the last return was 8,000; and a great number of trades not so large; among them would be sectional or local carpenters' societies; then there are cabinet makers, zinc workers and wire workers, and a great number of other trades; probably it is not necessary that I should repeat the whole of them.

Mr. *G. Odger.*

1808. Did each of those trades send a representative to that meeting, and where the executive to look after this matter?—They sent myself to represent them generally, after holding a meeting on the subject of sending delegates; and the amalgamated carpenters, and engineers, and bricklayers, and ironfounders sent special delegates also.

1809. Will you turn, if you please, to the view you take of the Act which we are considering?—As it affects my own trade, and I have not heard that mentioned or referred to in the least degree, I would observe that the Act is almost inoperative.

1810. From what cause?—For this reason, I believe that breaches of contract occur more frequently on account of the conduct of masters than on account of the conduct of men; our work, as most of you are aware, is all piece-work, and frequently an employer bargains to give out work; but when we go for the work he only gives us a part of it, and we cannot go on with the work; say, for instance, he gives us the leather to make the bottoms, but he does not give us the uppers, and the man has the work by him, and cannot proceed with it; it has been ruled in a case many years since in the City, that the contract commenced by the fact of the work having been given out; but still I never knew of but one case where a workman summoned the master for a breach; but invariably they wait until the master is prepared to give out the uppers, and when they get them they go on with their work; I have known a man wait about, sometimes nine or ten days, and from that to a fortnight before he could get all the things necessary to go on with his work: well, of course, under such circumstances, if the men were to be continually summoning the masters, we should have the most abominable amount of ill feeling, and everything else that could be conceived of as bad, and men prefer to make the best of it, and wait for their uppers, and when they get them go on with the work, or go somewhere else and try to get a pair of some

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other employer." That creates the difficulty at once, because if he should get a pair from another employer to make, then the other employer might say "I will give you some more work as you seem to be slack." Should the man under these circumstances keep the first employer's work out longer than the eight days allowed by law, he would be amenable to consequences of breach of contract.

1811. Then what is the result; frequent prosecutions on either side?—No; they seldom, if ever, occur.

1812. Mr. *Salomons.*] Not in your trade?—Not in our trade; I speak of our trade; perhaps you might be disposed to ask some more questions with regard to it.

1813. *Chairman.*] Speaking generally of the different trades you represent here, what are their views with regard to the Act?—I would state with regard to the feeling which this Act creates among our men, that it is of a very bad character indeed; because any decent man who would wish to keep within the limits of the law, when he has had work out, by him, eight days, is apt to be terrified with the thought that his employer would feel disposed to have him before a magistrate for this breach of contract, and that would be prejudicial to the man's position in society, as well as calculated to embarrass his home and family; and frequently the threat is held out when often the man is not really responsible for the delay. In other cases the man may be, but not always. I have heard the threat made; I think it would be about two months ago. I was asked to do some business for a trade society, and I went and saw my employer, because you will understand that my position on the Trades' Council, as far as pay goes, is a merely nominal one; it is half-a-crown a week for my services. They asked me to do some work which I saw would necessitate my leaving my work for some days; I went to my employer, and I told him that I thought I should not be enabled to follow up my ordinary avocation for some days. He said, "Very well; let us know when you are going to work." I said, "I would do so." Three days after he came, and asked me if I were prepared to go to work. I said not at present, but I thought I might do so in the course of four or five days. He said, "Well, I have some work that I will leave with you, if you will promise to do it as soon as you can." I said, "Certainly I will, but I would rather you would not leave it, because when I can commence it, is extremely uncertain." It was in the street that he stopped me, and he went to the place at which I worked, and left the work for me, and on the seventh day the contract coming close, I was desirous of the work being done in order to keep within the bounds of the law. I received a note from him saying that he wanted the work. I then went to him and reminded him of the work being given to me under a promise, or at least under a condition, that I could not proceed with it at once, and could not be responsible for consequences; he said, "Yes, I quite understood that." Well I went over the time, the first time I ever did in my life; he called at my house, when I was out, and threatened that if he had not the work in a given time, he would proceed against me in the ordinary way, for breach of contract. I went home and then went to the workshop and worked nearly all night to get the work to time the next day, which embarrassed me a good deal, because I had been at work all the day before. I do not know whether he would have carried out his threat or not, but I was within his clutches if I did not make the boots.

1814. Mr. *Salomons.*] You do not know an instance in London, of a shoemaker being summoned for breach of contract of that kind?—I do not know of one, except that referred to.

Friday, 15*th June* 1866.

MEMBERS PRESENT:

Mr. Dalglish.
Mr. Algernon Egerton.
Lord Elcho.
Mr. Fawcett.
Mr. George.
Mr. M'Lagan.
Mr. Edmund Potter.

LORD ELCHO, IN THE CHAIR.

Mr. GEORGE ODGER, further Examined.

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1815. *Chairman.*] ON the last occasion that you were before us, you were speaking as to breaches of contract under the existing law; is there any other point with reference to the existing law, on breaches of contract, to which you wish to call our attention.—Yes; in speaking of there being no cases of breach of contract in our trade, I would wish that that should be considered as applying to London only; because I find in Northampton, Bristol, and other places where there are a great number of shoes manufactured, there are cases frequently occurring, and consequently, in so far as the provinces are concerned, the law operates very differently to what it does in London.

1816. Can you give any reason for the different operation of the law in the metropolis and in the provinces, the law being the same in both?—I cannot; I have endeavoured to understand why it should be, but I am at a loss to arrive at any satisfactory conclusion upon the subject. I wish to refer to a case which occurred in Bristol: it was the case of Inman against Potbury. Potbury had had some work to do from Mr. Inman, but not sufficient to employ him regularly; in fact, not above half employment; and, of course under such circumstances, he found it absolutely necessary to get work from some other employer, or otherwise he could not have lived upon the work which he obtained from Inman. He obtained work elsewhere, the consequence of which was that he got into trouble through detaining a pair of boots that he had to make for Inman over the eight days; because, if a man goes into a shop and asks for work from an employer, the employer perhaps has a quantity he wants done; perhaps they are all for one customer, and it would not be suitable to the master to give the workman any unless he could take the whole; they can rarely divide boots for one customer among a different number of men, because the men work differently, and, perhaps, the customer would think there was a difference in the work that he would not like: besides, it is unusual for employers to give one pair of boots to one man and another to another for the same customer; one man generally makes the whole. Potbury kept Inman's boots out over the eight days, and he was arrested and taken before the magistrate. He explained the matter to the magistrate, and the magistrate advised Mr. Inman not to press the case. He told Mr. Inman if he did, he should certainly be compelled to send the man to prison, though it was admitted on all sides that the man Potbury had done no wrong whatever, morally: but still, as the law existed, there was a breach of contract. After sometime and some persuasion, Mr. Inman, no doubt being operated upon to some extent by the expressions of the magistrate, took the advice of the magistrate, and Mr. Inman paid the expenses of the hearing, so far as it had gone. That shows at once, that however morally right a man might be in taking out work, under such circumstances, he is not safe.

1817. What is the date of that case?—1857.

1818. Have you any other case to mention?—There was the case of a tinplate-worker which I will quote from the General London Trades' Report.

1819. What is the date of it?—1850.

1820. How often are those reports published?—In 1850 they were published whenever occurrences arose that called for the publication of a report, now they are published annually.

1821. Do those reports refer solely to cases of this kind?—No, they refer to all sorts of business that occurs in the trades.

1822. They are the Trades' Unions' Reports?—Yes.

1823. This was a case under the law of Master and Servant occurring in 1850?—Yes.

1824. Was the other case you referred to mentioned in the Trades' Report?—No, it appeared in the newspaper, there was no Trades' Report at that time in Bristol.

1825. How long is it since those Trades' Reports have been published?—They have been coming out, more or less, for the last 30 years, not regularly; some years ago they used to appear when circumstances arose which necessitated their being brought to notice. For instance, if any great dispute arose between employers and employed, in a case of this sort, if the hardship of it was felt by the trades, there would be a report issued by the delegates formed into a committee for that purpose.

1826. You are about to refer to a case from one of those Trades' Reports occurring in 1850?—Yes.

1827. Have you no case more recent than that one in 1850 mentioned in any of the subsequent Trade Reports?—No, in that case, a man named James Totterdale, greatly reduced from want of employment, caused by sickness, left Liverpool, leaving his family behind him, and engaged himself to Mr. E. Perry, under one of these agree-

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ments. Having been a short time in Wolverhampton, he received a letter from his wife, informing him of the dangerous illness of one of his children, and that if he desired to see it again (alive) he must instantly set off for Liverpool. He left Wolverhampton without stopping for Mr. Perry's permission, and reached his wretched home in time to witness his child in the last agonies of death, and another stricken down with the same grim enemy. An officer from Wolverhampton was in Liverpool, armed by the authority, to search for those who had absconded from Mr. Perry's service. This officer found Totterdale with a few boards he had been begging to make a coffin for his dead child. The officer had but one duty, Totterdale was brought a prisoner to Wolverhampton, leaving his child uncoffined and unburied, and another child and his wife on a bed of sickness. He was taken before the magistrates, when the above facts were pleaded in his defence and corroborated by the officer, the magistrates were disposed to view the case somewhat leniently, but Mr. Perry's solicitor was instructed to press for a committal. The magistrates refused compliance with so harsh a request, and ordered the man to return to his employment, and to pay the expenses of his capture and removal (between 3 *l.* and 4*l.*). It was urged by the solicitor, that the man was not in a state of health to be of much service to Mr. Perry, but that the object was to make an example for others. So that this case cost this poor man between 3 *l.* and 4 *l.*

1828. Who draws up those reports? — The secretary to the trades.

1829. That is a case in which the man was taken to Wolverhampton, the report of the case being drawn up by the London trades' secretary? —Yes.

1830. In that report it is stated that the policeman went to Wolverhampton, empowered to take into custody "those" who had left Mr. Perry's employment, do you know if there had been any general strike in Mr. Perry's employment?—Yes, there had been.

1831. And all Mr. Perry's men had gone?—Some of them; this man, Potbury, it should be understood, was not in the strike, or in any way connected with it; he had been engaged at Liverpool to go to Wolverhampton to work for Mr. Perry, and this illness of his child came on immediately after going there to work.

1832. How are you yourself conversant with the particulars of that case; I mean with the details not mentioned in the report?—There were some of our committee who had the care of the case on behalf of the man.

1833. Have you only heard the details of that case lately, or did you hear of them at the time? —The case appeared in the newspapers at the time.

1834. Is there any other case to which you would wish to refer?—Those are the only cases that I am desirous of referring to; I refer to them for this purpose, although there were no punishments given, they show how dangerous is our position in the event of any accident of this sort occurring, that a man can be arrested when evidently he has been guilty of nothing that, morally considered, would justify any such treatment.

1835. Did Mr. Perry at that time employ a great many men?—I do not know how many men he employed at that time; I should think he did.

1836. Were many of them out on strike at that time?—The bulk of them.

1837. Were they all, do you suppose, under contract?—I do not know what the contract was exactly, but if I am rightly informed, it was nothing more than a verbal contract.

1838. Still a verbal contract, when a workman has once entered upon it, is as binding upon the workman, under the present law, as a written one?—If I understand the Act rightly, if a man has commenced work, it is as binding.

1839. But he can be prosecuted under a written contract, though he has never entered upon his work?—So I understand it.

1840. Have you any further objections to urge to the existing law?—I consider the Act is prejudicial to a good understanding between master and man in many respects. If a man does the least thing that would place him within the limits of the law, he then looks suspiciously upon his employer, fearing that the consequences of the law will be put into operation, the man certainly would not feel comfortable, and should it so happen that anything was to be done in the case, it would still further rouse a feeling that would be in nowise beneficial to either party.

1841. When you take those objections, you refer, I imagine, to the criminal procedure in regard to contracts?—Yes, and what is more, I think this, that when the law was made, there was a greater necessity for it than now, for this reason, no doubt our men within the last 20 years (I suppose no one will doubt it) have made great strides towards improving their condition; they have now vested interests, which they formerly had not got. We belong to various clubs, and some of us belong to as many as six or seven. You will scarcely find one workman now that does not belong to a club in which he has not a vested interest.

1842. When you say a club, do you mean a benefit society?—Yes; or a loan society, or a building society, and all the trade societies have some benefits, some of them a great number of benefits.

1843. Is a benefit society attached to every trades' union?—I do not know at this moment one that has not one; but I know many that have five or six benefits attached.

1844. A burial club, a sickness club, and an accident club?—Yes; and an out of work fund, some of them give as much as 15 *s.* a week, when the men are out of work.

1845. Out of work from any cause?—In any legitimate cause, in some instances, more money is allowed, and in some less.

1846. Are those clubs certified?—A great number of them.

1847. Not all of them?—No; the bulk of the large ones are now, I think, they formerly were not, there has been a great improvement in that respect of late years.

1848. Take your own case, how many clubs do you belong to?—About four or five.

1849. With a very large capital?—Our own trade possesses, I think, about five of them, we have some capital, but not very large, because we have not had it in existence on its present large scale, above four years, but the capital is gradually increasing.

1850. What bearing has your answer with reference

reference to those clubs, upon the law we are considering?—It has this very great bearing on it, that should I break my agreement with my employer, I could not very well leave London to embarrass him, or get out of his way, or evade the law, having those clubs to look after; they hold money in which I have a vested interest, and consequently, if I ran away out of the country, I should get out of those societies perhaps.

1851. Mr. *Fawcett.*] Would they turn you out?—They would not turn me out, but it would be difficult for me to keep up the payments. If I run away from the master, I am not earning money; and the next thing is, that when a man belongs to different societies, he is very easily found if he goes away; and consequently those things will tell a person at once that our status is very different to what it was formerly. How can a person belonging to five or six clubs evade his employer if he wanted to? There may be a few men whom the law would not catch if they broke their contract, but they are very few; they are as exceptional as it is possible to conceive; they are men who are indifferent about their position in life; they belong to no friendly society, no club or anything of the sort, and if they broke a contract with their employer, it would matter little to them; they could get away, and the master would be baffled in his attempt to punish them if he tried it.

1852. What per-centage of workmen do you suppose belong to those clubs?—I should think 75 per cent. now-a-days belong to some club or another.

1853. Throughout the kingdom?—Yes.

1854. That is one of the reasons why you think there might be a change in the law, that the workmen through those benefit societies have a sort of status which they had not when those Acts were first introduced; is there any other reason why you think the law should be changed?—I think it would be to the mutual advantage of both master and workmen. I think the master would gain by it; my firm belief is, that if the masters would at once declare against such a law, and show a little magnanimity in the matter, if they would show that they were above having one mode of procedure exclusively for themselves, and another for the men, they would very much conciliate the men. The Act mentions, with regard to apprentices, "ill-behaviour," "misconduct," and "misdemeanour," but the word "ill-behaviour" applies only to apprentices, as far as I can see; the words "misconduct" or "misdemeanour" are mentioned three times through the Act. I find the term "misconduct or misdemeanour in the execution of his duty;" and again, in the latter part of the same section, it is referred to, the words "as aforesaid" being added, so that this misconduct or misdemeanour is by no means well defined; but it stands here in the most vague way in which a thing could be put in a Statute. And if a man wished to keep within the limits of the law, and tried to comprehend this Act, or how far "misconduct" or "misdemeanour" might be applied to him, he would be in a great difficulty to make it out, I think.

1855. Mr. *George.*] You think it applies to every act done by the workman under the Act, whether under contract or not?—Yes.

1856. *Chairman.*] You say that the law tends to create a bad feeling between master and servant; do you speak to that being the case practically, and are you able to say that this law, in fact, produces this bad feeling?—Yes; because, of course, the workmen have no voice whatever in making the laws, and they look at a Statute of this sort wherein they are considered to be capable of manifesting "misconduct" or "misdemeanour," as the case may be, towards their employers, the Act not specifying that the employers can be capable of "misconduct" or "misdemeanour" towards the men, as one-sided and oppressive towards them.

1857. You have stated, that in your own trade cases do not occur under this law in London; and you have cited from those London trades' reports only one case in the last 16 years, the case of this tinplate-worker; do you believe that the workmen of London generally are conversant with this Act, and its use of the words "misconduct" and "misdemeanour" to which you have just referred, and that the knowledge of the existence of this Act really causes bad feeling between the mass of workmen in London and their employers?—Yes, on account of its inequality.

1858. Do you believe that they know the bearing of this Act, and even of the existence of it, there being so few prosecutions under it?—Generally, our men know a little about its principle, but in the main, those well acquainted with the details of the Act are but few.

1859. Those who are conversant with the Act are those who take a prominent part, and think for the men in those trade societies?—Yes.

1860. Speaking on the part of those who take a prominent part in those trades' unions, you think that this law is calculated to create bad feeling between master and servant?—Yes.

1861. Though, practically, it appears that in London there are very few prosecutions under it?—Yes, in our trade; for the simple reason that the masters more often break their contract with the men than the men with the masters.

1862. In London are there frequent cases among other trades?—Yes.

1863. How does it happen that those cases are not mentioned in the Trades' Reports, if there is this strong feeling on the part of workmen against the operation of the law?—Because the general trades do not deal with them; unless a great public question is involved, the trade in which the breach takes place, is the trade that reports it.

1864. Unless it appears to be a case of great hardship, such as that of the tinplate-worker?—If the case is one that would necessarily create great public interest, the general trades would investigate it, but if not, it would be taken up by the trade in which it occurred, and they would deal with it.

1865. The reason which you apprehend why that case occurring 16 years ago, was mentioned in the Trades' Report was, that it was one which caused general interest, and was taken up by the whole trades?—Yes.

1866. Since that time there has been no case causing general interest?—Not in London that I know of.

1867. If any particular case occurs that causes general interest, it arises necessarily in a particular trade, does it not?—Yes; just so.

1868. That being the case, and those general Trades' Reports being made up by the members of the different trades, if any case of hardship arose in any particular trade, the person repre-

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senting that trade in the general trades' council, would bring it before the council, would he not?—Not unless the question was considered to be one that of necessity should come before the general trades.

1869. What would constitute that necessity?—It would rest more upon the feelings of those who composed the council; if a member of the council thought the case to be one that should be generally considered, he would bring it forward, but it is not customary for the trades' council to take up every case that occurs in the trades, or anything like a proportion of them.

1870. If you had any reason to believe in your general council, that in any particular trade any case of hardship had occurred, would not the trades' delegates on the general council bring that case prominently forward?—It would not be brought forward by the trades generally, because the trade in which it occurred would be competent to take the case up and do it justice. Suppose there were 7,000 or 8,000 carpenters in the carpenters' society; if they had a case of this sort they would be quite capable of dealing with it.

1871. What do you imagine was so peculiar in this case that led to its being brought thus prominently forward 16 years ago?—I fancy that the details of the case were quite sufficient to call attention to it.

1872. Do you know whether any case was tried at the Assizes at Stafford, with reference to Mr. Perry's workmen?—I am not aware.

1873. You have stated your objections to the law, namely, the criminal procedure and the inequality between master and servant; what remedy would you suggest?—I would suggest the remedy of a county court process.

1874. That is, that the procedure should be no longer criminal, but a civil process before the county court?—Yes; I think the workman now, having risen to that position in which he now is, having interests to look after, and having certain funds at his back, different to what the state of things was some years ago, is certainly a more responsible individual, and more easily to be found; and it would not pay him (putting it in a pecuniary point of view) to treat his contracts with impunity. He would prefer to fulfil his contract, and keep within the limits of the law. If trials for breach of contract were to take place, for every breach that takes place in our trade, we should have the magistrates' courts full of them, and the county courts too; I do not think that some employers would have time to do their business; they would be continually in the county courts.

1875. As it is, there are frequent branches of contract which are never tried?—There are frequent cases which are never tried; in our trade they occur every day, and most of them are on the part of the employers.

1876. Do you think both as regards the employers and fellow-workmen, there would be sufficient security to both if there were such a change in the law made as you suggest?—Quite.

1877. Take your own trade; does one man make a whole shoe, or are different parts made by different men?—There is the closing of the upper, and the making of the bottom, they are distinct branches of the business.

1878. Which part of the work is done first?—The closing is done first and the bottom afterwards.

1879. So that the man who does the bottom depends entirely upon the closer; if the closer has not done his work, the man who does the bottom would have no work to do?—The employer is supposed by the contract to have them already closed, so as to give them out already closed to the men, but it is a common thing when a man goes for work, for the master to say, "I have no uppers closed;" and the man has to walk about all day, and wait for the uppers to be closed; that is a breach of contract on the part of the employers; but we never summon a master for breach of contract for that.

1880. That breach of contract on the part of the master might arise from the man who closes the uppers not having performed his contract?—Yes.

1881. So that, practically, all the men who put on the bottoms might be thrown out of employ in any one work through the failure, on the part of their fellow-workmen, to perform their part of the contract in closing the uppers?—Quite so.

1882. Does it strike you with reference to that, in the interests of the employed, it might be necessary to give the employer some stringent power for the enforcing of contracts?—I think not. I never knew a closer to wilfully break his contract; they frequently do it, but it is very often because they are asked to do more in the time than they can possibly do.

1883. Cases might arise of wilful misconduct, of men absenting themselves, and by their absenting themselves, entailing upon their fellow-workmen very serious loss?—Yes.

1884. In cases of wilful misconduct, do you think that power might be given to deal exceptionally with them?—I think not; the number of such cases is so few as to be scarcely worth mentioning.

1885. In other trades, you could conceive the possibility of such cases occurring?—Not to any great extent; I do not think it is at all reasonable to presume that men would wilfully break contract as a rule; I do not know of such a thing.

1886. You do not think there might be cases in mines, or glass works, or iron works, or other works, where, by men wilfully and suddenly absenting themselves from work, they might not only injure the employers, but their fellow-workmen also?—The cases would be very very few, I should say.

1887. You admit that there might be such cases?—Yes.

1888. Would you see any objection, where such cases did occur, to the power of dealing exceptionally with such cases being left to the magistrates or other persons, having jurisdiction in those cases?—Yes, I think there would be an objection to it; I think that the power if given would be open to abuse. It would be difficult to discriminate between a wilful breach and an accidental one.

1889. You say that such power of discrimination might lead to abuse; do you think that at present the powers which are vested in the magistrates by law are abused?—It has been proved in cases that they are. I have heard of such cases; I would not vouch for the power being wilfully abused.

1890. You cannot, of your own knowledge, speak

speak to wilful abuse on the part of those who administer the law?—No.

1891. Do you object at all to the present jurisdiction in cases of breach of contract?—Yes, I do; I object to it *in toto*.

1892. On what ground?—On the ground that I believe that magistrates are not exactly the persons to adjudicate in those matters.

1893. When you say that they are not the persons to adjudicate, do you take your objection on the ground of their being insufficiently informed as to the law and its bearings, or is your objection on the ground that there is a failure of justice through any sympathy on their part with the employers?—We know very well that magistrates are frequently employers; I do not say that all employers are disposed to do an injustice, but at the same time men cannot help their sympathies, and their sympathies too often go with their class. I should not desire to see a journeyman a magistrate, to adjudicate in any case where an employer and a journeyman were defendant and complainant. I should desire something different to that; I would sooner have a Board, if possible, but still I have no objection to the county court judges; our judges, as a rule, are a credit to the nation.

1894. Your objection is not derived from any knowledge of any practical grievance arising from the present jurisdiction; but you have a theoretical objection to employers adjudicating in cases where employers are prosecutors?—Truly.

1895. You think there must be a natural sympathy on their part with the employer, which might lead to a failure of justice?—Yes.

1896. Supposing a case arose in the shoe trade, and the person sitting upon such cases was wholly unconnected with that trade, would you see any objection in that case?—Yes.

1897. Simply from the fact of his being an employer?—Yes.

1898. All such cases you would have tried solely before a stipendiary magistrate or a county court judge?—Yes; I should prefer a county court judge.

1899. You would have no objection to such a case being tried before the justices, provided that there was a stipendiary magistrate on the bench?—I should prefer a county court judge.

1900. Objection has been taken to cases going before a county court judge, on the grounds that it might lead to delay, which might be detrimental to the workman as well as to the employer; what do you say to that objection?—It might be so; but if the employer has a fair ground of complaint on that head, then the journeyman has had the same ground of complaint ever since the Act has been in existence, because he has had to bring the employer to the county court; therefore if it is a grievance on the one hand, as you have suggested, how long have the men been living under that grievance? If that is urged against the proposed change, it must tell most materially against the law as it stands.

1901. You object to that as an inequality at present, that whereas the workman is proceeded against at once, and summarily, in a case where he brings an action against his master, he must wait to bring his action before the county court?—Yes, he must do so.

1902. Cannot the workman summon his master before a justice?—It has been done frequently, and the justice has referred the parties to the county court.

1903. Under the Act of Masters and Servants the workman has the power of summoning his master at once before a justice, has he not?—Yes; but in the Lambeth Police Court frequently, where cases of that sort have been brought on, they have been sent to the county courts by the magistrates.

1904. Do you know what cases have been so referred to the county court?—I have not taken note of the cases, but it has been so done.

1905. Recently?—Yes, very recently.

1906. Are you aware that a master can be imprisoned now in the event of failure to pay?—I have heard so, but for a workman to go against his employer is a difficult thing, he would prefer not to interfere in the matter; as a rule, our men very often put up with a breach of contract committed by the master, because the man says frequently, If I take a summons out for the county court I have to wait so long for it, and I shall lose so many days' work, which I cannot afford; my employer has money, and he will employ some one to represent him, and get his case conducted better than I can perhaps, and the result will be loss of time and great embarrassment; I will let the matter rest where it is.

1907. In the cases of breaches of contract on the part of employers, are such cases contested by the workmen when they are contested with the assistance of their union?—Sometimes.

1908. In cases of fine, would the fine be paid by the union?—If they thought the man right, but not if they thought the man wrong.

1909. Whether the case is taken up by the union or not depends upon whether, in the opinion of the union or those who guide it, the man is in the right?—Yes, they would not otherwise take it up. I have known once in a way men make appeals to their unions that they have been completely condemned for; I could refer you to two or three cases, but I have not the particulars of them with me; there have been cases, but they are very exceptional cases, where men have absconded with their employers' work, and could not be found, the union to which the men belonged have then sent their officer to the master at once to know the damage done, and to pay for the loss, so that the master should suffer no loss.

1910. You say the unions have sent their officer, what officer?—The secretary, or one of the officials, or one of the committee, so that the master should sustain no loss. It would be the worst thing in the world for the unions to encourage men to annoy, in any way, their employers; a union could not stand upon any such principle. It is to the interest of the unions to encourage good conduct on the part of workmen towards employers. We have in our society throughout England, a printed form of security for all work entrusted to men belonging to our society. If a stranger came from Scotland, for instance, and wanted to get work, the master would say, "You are a stranger to me; I do not know whether I am safe in giving you out work." Then if the employer wishes such a thing, having a doubt upon his mind that the man might not be a genuine character, he sends to the secretary, and the secretary fills in a security for any amount that the employer feels disposed to entrust the man with, and should the man abscond with the work, and cannot be found, it is paid for by the union; that is general with us.

1911. Is that the case in all trades?—I do not know

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know whether it is the case in other trades. I think not generally, but with us it obtains throughout the entire country, so that from that it is clear that it is not our desire in the least degree that the masters should suffer by anything that we do.

1912. Mr. *Fawcett.*] In other trades there is probably not the same necessity for that security, because you take the materials to work up in your own house?—Yes.

1913. *Chairman.*] Are there not other trades in which the work is given out, tailors, for instance?—Yes; the tailors often have to get securities from their landlords, or any one in a responsible position.

1914. A suggestion has been made to the Committee, that the law should be altered to this extent, that the justices, or whoever tried the case, should have the option of awarding fine or imprisonment, according as the case appeared to them to be one of simple breach of contract, or one of wilful misconduct; and that, further, instead of having recourse to a warrant, in all cases summonses should be first issued, and that a warrant should only follow in case of non-appearance to the summons; what should you say to such a change in the law as that?—It is a step towards the thing aimed at, but at the same time I think if it could be carried to the extent urged by us, that is, to make the procedure purely a civil one, it would be much better.

1915. The object, I imagine, of those who propose this change, in retaining certain criminal powers to be exercised at the option of the persons trying the case, is to meet cases which you could not deal with exceptionally in law, viz., cases where through misconduct on the part of a workman, great loss might be entailed upon the employer, and perhaps danger to life or limb, and injury and loss to his fellow-workmen; should you see any objection to a discretionary power being left with the person trying the case, of dealing criminally with such cases as I have just referred to?—I have not turned so much attention to that as I should desire to do before giving an answer to that question; but it appears to me at present, that if it could be clearly proved that a man had wilfully broken his contract, in such a case as you suggest, an enactment of that sort would not be altogether unjust.

1916. You think that doing away with the warrant in the first instance, would be a great step, and would cause great satisfaction?—Yes, that would be much better than the present state of things.

1917. Workmen object strongly to being summarily seized, perhaps taken out of bed, and manacled and carried before a magistrate, and imprisoned, as if they were felons?—Yes.

1918. That objection would be met by a summons instead of a warrant?—Summoning would certainly be much better than a warrant.

1919. Then that would enable a man to get up his defence, and have some one in court to defend him?—Yes, and not only that, but his family would not be so much embarrassed.

1920. And the criminal character of the offence would disappear?—Yes.

1921. Supposing it was provided that no person should sit upon the bench who was an employer of labour in the particular branch of trade in which the man under trial was engaged, and that the justices should never sit singly, and that coupled with a summons, should first issue instead of a warrant, so as to give the man an opportunity of getting somebody to appear for him in his defence, whether his legal adviser, or his friends, or his witnesses; that would, you think, give greater security than the present law for the proper administration of justice?—That would be much better than at present.

1922. With such changes as that, would you (as representing the workmen who have objected to the jurisdiction of the magistrates) see any objection to the jurisdiction being left, as at present, with the magistrates?—I hold to the opinion, that if the case could be taken before a county court judge it would be better; but, the course indicated by your Lordship would be far preferable to the one at present in existence.

1923. Without speaking positively, do you think that some such change as I have pointed out would be upon the whole accepted and looked upon as a satisfactory solution by the servant-class?—I think that it would receive favour to a very great extent indeed, and would show some desire towards improving the state of things.

1924. Mr. *Fawcett.*] Probably you would not think that the magistrates would be a perfectly satisfactory tribunal, even if that change was introduced which has just been mentioned?—I think not.

1925. You object to them, not because you suppose they would desire to decide cases unfairly, but because, being employers or capitalists, or landowners, they must be presumed to have a natural sympathy with their class?—That opinion prevails, and I share in the opinion to a great extent myself.

1926. You think, for the same reasons, workmen, however desirous they might be to be fair, would be an unfair tribunal to try a case between employer and employed?—I do think so.

1927. Seeing that those cases of breach of contract occasionally involve very difficult questions both of law and of evidence, you probably object to the justices as a tribunal, because you have no security that they have the slightest knowledge of law?—Quite so. There are certain things connected with our trade, which, if we were to bring before the court in cases of breaches of contract, could not possibly be placed before the magistrates sufficiently clearly for them to comprehend the real state of things.

1928. In fact, considering the class of cases brought before them, it would be almost impossible to conceive a tribunal less competent to deal with such cases, considering the knowledge which they possess?—I think if we could establish Boards of conciliation and arbitration to try those cases, it would be the best mode of dealing with them; and I think, if a man was brought up for breach of contract and found guilty, it would be a wise and beneficial enactment to allow him to pay the damages by instalments.

1929. Speaking generally, you object to the tribunal of magistrates, in the first place, because they must have a natural sympathy with the employer class, and, secondly, because those persons concerned in the case have no security that they possess sufficient knowledge to deal with the cases brought before them?—Yes.

1930. If this suggestion which the Chairman has just made were carried out, to treat ordinary cases with fine, and to treat cases of wilful misconduct which might lead to loss of life or anything like that with imprisonment, of course you would expect that the same law should be applied

to

to the masters?—It is only reasonable to expect so.

1931. It is possible to conceive that through their wilful misconduct the employed might suffer?—Just so.

1932. And in such a case they should suffer imprisonment in the same way as the employed?—Yes; and I should hope if the Committee felt it to be their duty to endeavour to get amended legislation upon that point, it would be so arranged that the one would be placed in the same position as the other.

1933. One great reason why the workmen object to the present law, is not on account of the number of cases brought under its operation, but because you feel that there is an inequality which places the labourer in a degraded position?—Quite so; but at the same time the number is important. I think of late years the number has been about eight or nine thousand annually.

1934. Even suppose it were proved that the number was rapidly diminishing, your objections would not be much diminished, the same moral stigma would attach?—Yes; I should not consider simply because the law was not put in full force, that it was any the better for that.

1935. You have been asked how it was that the case to which you have alluded, which happened 16 years ago, was singled out to be mentioned in the general trades report; I suppose the reason was considering the peculiar circumstances about the child's death, and so on; it was a case that attracted general notice in the newspapers?—Yes.

1936. Any case which attracted general notice would be taken up by the general trades council?—Very likely.

1937. Others would be taken up by the separate trades?—Yes, and therefore would not be in our reports; if we were to report everything that occurred, our reports would become very bulky.

1938. You think, speaking for the workmen, that no change in the law would in the least degree satisfy them unless it placed master and servant exactly in the same position?—It could not be satisfactory, because English people make a boast of equality; I wish that equality existed.

1939. It has been urged, that if the penalty attached to breaches of contract were simply a fine, the master would not be placed in the same position as the man, because the fine might be always recovered from the master, while it might not be recovered from the man; do you see any weight in that?—I think, as a rule, the workmen pay their debts quite as much as the masters; if the debts owing in this country on the part of employers or on the part of any other class, according to number and circumstances, were fairly balanced against the workmen, we should have the best of it, we should be on the creditor side instead of the debtor side.

1940. You think that the fact that almost the whole of the labourers of this country now belong to trades societies would give very great security that those fines would be paid?—In our trade we always secure our men for any work entrusted to them.

1941. I mean, supposing a man were fined, you think that the fact of a man belonging to a trade society would give a security that he would not abscond, but that he would pay the fine; he would lose so much by absconding that he would probably pay the fine?—In 99 cases out of 100; and more than that, the fine would be paid, and in almost all cases in full, immediately; but it would be advisable to allow a man to pay a fine in instalments, because it would make him more independent; if the man were fined 4 *l.* or 5 *l.*, very often he would have to make himself beholden to others for the money; we should not like that if we could avoid it.

1942. That might be left to the discretion of the tribunal?—Yes, there might be a difference in that respect.

1943. The penalty of a fine would impose serious consequences upon the workmen, though of small amount, so that they would be probably just as desirous not to break a contract as their masters would be?—I believe they are as anxious to keep their contracts with the employers as the employers are with the men.

1944. If the law was so amended as to treat every breach of contract simply as a civil offence, you think that no mischief could result either to masters or to workmen?—So far from thinking that mischief would result from it, I think a great deal of good would accrue from it. I believe as we are situated now, it is the general wish of the men to go on smoothly with their employers.

1945. You would prefer such an alteration of the law to the modified alteration suggested by the Chairman, of treating wilful misconduct as a crime?—I cannot at present see my way clearly to endorsing what was put to me by the Chairman; it is quite new to me, and perhaps I may be excused for not offering anything very positive upon it; but the only difficulty I can see in the way of accepting it is this: that there are so many technicalities and complications connected with trades, that those who had the trying of the cases would not have a sufficient technical knowledge to deal properly with a case; the line between a wilful breach and an accidental one would be very difficult to draw, and probably some injustice, and perhaps some suffering to families, would result on account of that. Of course, those who had the framing and carrying out of the law would do their best to avoid that; but when there are those complications, the probability is that they would not be so successful as they might desire to be.

1946. However excellent a judge you had, those technical complications would be so great, that wilful misconduct could not always be ascertained with anything like certainty?—Yes.

1947. That is your great reason for objecting to the suggestion put to you by the Chairman?—I do not exactly urge it as an objection; I only say, as I view the matter at present, there is a difficulty.

1948. That particular difficulty you have just alluded to would become more serious if the tribunal were the justices instead of a county court judge?—Yes.

1949. *Chairman.*] The difficulty would not be greater than it is at present where the justices are the only tribunal?—No.

1950. In what I shadowed forth to you, I suggested alterations in the mode of procedure before that tribunal, which appeared to you to meet in a great measure the objections now raised by the workmen to the present tribunal?—I think your suggestion far superior to what at present exists.

1951. You said, in answer to Mr. Fawcett, that one great advantage which would arise from a change in the law as between master and servant would

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would be that it would give rise to a better feeling between master and servant?—Yes.

1952. You think that the present state of the law causes bad feeling between master and servant?—Yes, anything is bad that causes men to think that they are hardly dealt with; anything that leaves a man under the impression that there is a wrong engenders some mischief. I think men who are cognizant of this law say at once, "There is an inequality, and it is against us;" they say, "Who made it? not us; we had no hand in making it; it was made by those who employ us, and by those who govern us, that is evidence of their justice and right;" and a man who was disposed to be a bit disagreeable towards employers or the ruling classes could very well cite this Act, and kindle a bad spirit among the men against their employers or against their rulers.

1953. Do you think this law tends to prevent men going out on strike?—No, I do not think it affects the men with regard to strikes.

1954. The fact of the existence of this law, under which men who break contracts may be had up, does not at all deter men from going out on strike?—Not the least, because our system is this: if it is thought that we can fairly and justly make an effort to raise our wages, all the circumstances connected with the men and their masters are gauged by the society; and if a man has so much work out, which he has got to make up, he is ordered by the society to finish his work before he can take any step; that order he is obliged to obey, or he will get into disgrace with the society.

1955. What would his disgrace consist in?—A fine.

1956. How would the fine be levied?—He would have to pay so much a week, and if he did not pay it he would become refractory, and would cease to belong to the society.

1957. Is the only penalty attached to a refractory member of the society, that his name is struck off the books of the society?—He forfeits what he has been paying into the society.

1958. When a strike is voted, do those who vote it take into consideration the position in which those men who are threatening to go out on strike would place themselves under this Act?—Yes, they do; they take good care that the men shall keep themselves within the limits of the law; that is one of the first and primary considerations.

1959. That is, they do not strike till the contracts are fulfilled?—Just so; that is always guarded against.

1960. That is where the contracts are short; but in cases where the contracts are twelvemonth-contracts, how do the society proceed?—Then the society do not seek to break them, they wait till the time is up; I should suppose they would; I never heard of a society recognising a breach of contract; in our own trade, the first requisite is for the men to finish their work in a proper and satisfactory manner, and to get their bills settled up by the employer.

1961. The contract with you is mostly piece-work, not to work for a certain time?—Yes, only for a certain quantity of work.

1962. Then the present law so far operates to prevent strikes, that it tends to delay them?—In our trade it would not much, but it might do so in trades where the contracts were of long duration.

1963. Where the contracts are for 12 months, there will always be fresh hands coming in and making fresh contracts, and therefore one does not see how those contracts would expire at the same time so as to enable a strike to take place?—The contracts are not generally for 12 months, they are exceptional.

1964. Do you know whether, in cases where the contracts are for 12 months, there are less frequent strikes than in cases of contracts for short periods?—I have not turned my attention to that.

1965. Do you know any trades where the contracts are for 12 months?—I have heard of some.

1966. Are there any in London?—I do not know of any in London.

1967. Do you know of any where the contracts are for a period of six months?—No.

1968. Do you know of any where they are for a period of four months?—No.

1969. What is the longest contract you know of in any trade belonging to your council?—I have not heard of any beyond a week in London; there may be some.

1970. Mr. *Fawcett.*] Of course, if the men found that that length of contract interfered with their power to strike, they would not consent to have those long contracts?—If they desired to strike, it is very certain they would say at once, we must shorten our contracts or we will never get a strike.

1971. Most trades recognize that a juncture may arise when it may be necessary to strike?—I think the tendency now is, to keep away from strikes as much as possible, and to win advances without them by memorialising, and by moral suasion. Within the last three months the trade to which I belong, the West-end women's-shoemakers, gained 16 to 25 per cent. advance, it being in some cases 25 per cent., the general run being 16 per cent.; we have been two months at it, and have had no angry word with the employers upon the subject.

1972. *Chairman.*] With the reserve of a strike, I suppose?—A strike was never mentioned, it was our intention when we started to avoid it if possible.

1973. Mr. *Fawcett.*] You would not like to do anything that would prevent you having the power of striking, supposing this moral suasion and conciliation, which is becoming more frequent, should fail?—I do not think that the men would like to give up the power.

1974. Mr. *M'Lagan.*] You stated that the two objections you have to the justices being the juris diction before which such cases should be brought are, first, that they would be more likely to be partial; and secondly, that they had not sufficient knowledge of the law are you aware of any cases in which the justices have shown partiality or incompetency?—I did not mean to say that I objected to them on account of their deficiency of knowledge of the law, but on account of their deficiency of knowledge regarding the technicalities and complications of the trades.

1975. And their not being accustomed to weigh evidence?—I mean their not being conversant with the peculiar circumstances connected with the trades. I do not mean that I should object to them on account of want of knowledge of the law. The Act itself does not speak of any of the technicalities of the trades; it makes no provision with respect to them at all.

1976. Do

1976. Do not you think that the justices are just as well qualified and as competent to judge of such technicalities as you have spoken of, as an ordinary legal judge?—Perhaps so; but class prejudices are more strong in their case than with the county court judges.

1977. Are you aware that the justices take an oath before they enter upon their duties that they will discharge them properly?—Yes.

1978. Are you aware also that the county court judges in England and the sheriffs in Scotland are in the same class generally as the employers?—With regard to an oath, I would observe that I recollect reading a remark by Mr. Roebuck in the House of Commons, that he took a false oath every time he entered a new Parliament, so that I do not think the oath argument is worth much after that.

1979. The county court judges in England and the sheriffs in Scotland are in the very same class in society as the employers, generally speaking, and as the justices of the peace, are they not?—I have heard so, but not to the same extent.

1980. And they are, one might suppose, just as liable to be led away by prejudices as the justices of the peace?—It is likely that they would be under those circumstances.

1981. In the two cases you mentioned to us, the justices were inclined to show leniency to the man?—Just so; I should be sorry that it should be inferred that I meant to say that all justices were disposed to do wrong, or all employers either; I believe that there are as many good men among the employers as among any other class of society; but magistrates who are employers have fellow feeling for employers naturally; men cannot help influences more or less.

1982. In a case of neglect of duty where life and property might be imperilled, you would not object to the workman being prosecuted criminally on condition that the master should also be prosecuted criminally in a similar case?—Not the least.

1983. You want the law to be equal in that respect?—Yes.

1984. You are aware that there are cases where employers are sometimes prosecuted criminally, when life has been imperilled and property damaged, as for instance, the case of managers of railways; you are aware of some cases where they have been apprehended and prosecuted criminally?—Yes.

1985. And therefore the law does take cognizance of such cases, and enables the public prosecutor to proceed against those men criminally, masters as well as servants;—Yes; if I were base enough wilfully to neglect my duty, even if I did not endanger life, I should be doing a very wrong act, and if life was endangered by my neglect it would be more serious still.

1986. Would you prosecute a man criminally if by neglect of duty property was damaged?—My only reason for saying that the question wanted more consideration than I had given to it, before I ventured to give a positive opinion upon it, was, that I was afraid that sometimes it would be difficult to draw the line between wilful neglect and accidental.

1987. Supposing, however, you thought it better to punish a man by fine rather than by prosecuting him criminally, and supposing the man was not able to pay that fine, you would have no objection to his being prosecuted for a debt?—Just so.

1988. Supposing he could not pay, and had not sufficient property to pay that debt?—Then I suggest that he should be allowed to pay the debt by instalments.

1989. You have no such thing in England as arrestment of wages?—No.

1990. Would you approve of such a power being given to the master?—I think it would be dangerous, it would put a weapon in the hands of the employer who might be disposed to be not exactly so just as he should be. There are employers who would probably take advantage of it; I do not believe that the bulk of them would. I should not like a law that could be made to operate oppressively towards the workman, nor would I like to see a law passed that might place the employer in the hands of the men. I should like to see it as fair for the one as for the other.

1991. Supposing a workman left the place where he had been living before, and went to a distant part of the country, would you object to the employer following his wages?—It is a point that requires some consideration; I should not object to a man being followed and put to trial for so doing in the ordinary way, but it is a question whether any good could be obtained by the arrestment of his wages.

1992. Do you not think that the arrestment of wages would have a bad moral effect upon the man?—Yes; I do not think it could be productive of any amount of good. If in some cases it might work satisfactorily, in the bulk of cases I think it would be unsatisfactory.

1993. It would tend to damage the man's character in the new district to which he went?—Yes; and probably the man would never hear the last of it. Supposing I had been doing some work for an employer and I broke my contract, and I left the town, perhaps not being under the apprehension that I had been doing any wrong (because the contracts in our trade are so frequently broken, that a man might easily be under the belief that he was not doing anything that would make him amenable to the law); suppose I left the town, and suppose I went 50 miles away and worked there under a fresh employer, not considering that I had done any wrong to any man, and that next week there was an arrestment of my week's wages for leaving London, I, not believing that I had done any wrong to any one, should not like to be dealt with in that manner. The master, if he felt annoyed at my leaving London, could do that; he could send after me an arrestment of my wages, and, being in a strange town, my family would suffer, for I would have no wages for them to go on with.

1994. Are you not aware that when the wages are arrested there is a sufficient amount allowed to the workman for subsistence?—Yes; but the amount of a workman's wages is only sufficient for his subsistence when taken in the aggregate.

1995. I am putting the case that the court has decided that the man must pay that debt; supposing he has left the district, you think it would not be a good plan to follow him and arrest his wages, making the man pay the debt by instalments?—I think it would not; I would leave it to the ordinary procedure of the county court.

1996. Mr. *George.*] Is it not the fact, that the magistrates have the power of deciding questions with respect to wages between masters and do-

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mestic servants and agricultural labourers?—I believe so, under another Act.

1997. If the magistrates are considered competent to decide questions between masters and agricultural labourers and domestic servants, do you see any reason why they should not be considered equally competent to decide cases between masters and workmen in different trades?—Their competency is not the thing that is questioned; we contend, and I think not without some reason, that there is a partiality on the part of the employers among the justices towards their own class.

1998. If an employer in the same trade as the prosecutor were prohibited from sitting on the trial of the case, and supposing the magistrates were independent country gentlemen, not being in trade at all, would you consider them not competent to, and not likely impartially to administer justice in cases of that kind?—I do not think that independent country gentlemen would be preferable to manufacturers.

1999. You object to the manufacturer because he has a similar interest to the master who has the dispute with his servant?—It frequently happens that a country gentleman employs men, and he is apt to view the dispute from an employer's point of view.

2000. You think even an independent country gentleman would be likely to be biassed from his acquaintance or sympathy with the manufacturer whose case might come before the bench of magistrates?—Yes.

2001. You have only cited to the Committee two cases of what you consider hardships, one of them occurring in 1850, and the other occurring in 1857; you have not, as I understand, stated to the Committee the particulars of any cases since 1857 of what you consider hardship?—My reason for citing those two cases only, though I could have cited a great number, was this: I have not heard the whole of the evidence that has been given here; but in the little evidence I have heard I heard cases referred to, and I have no doubt in the evidence which I have not heard a great number of cases have been mentioned; and I thought that to bring forward a lot of cases of a similar character would only be to unnecessarily occupy the time of the Committee. I cited two cases that were different in their character to those other cases that have been cited; in the cases that have been mentioned to the Committee by preceding witnesses the men had been imprisoned; in the cases I referred to they were not; they were cases in which, though the men had done no moral wrong, they were brought before the magistrates, and they had to go through all the ordeal of a trial.

2002. I understood you to say that a law like 4 Geo. 4 was no longer so necessary as it might have been, from the improved condition of the working people; may not that account for the fact, that from 1857 to the present time, no case like those which you referred to has arisen which you have considered it necessary to cite to the Committee?—That was not my reason for citing those cases; my reason was because I was desirous of showing that though the men had done no harm in those cases, still there was an amount of hardship resulting from a bad law existing.

2003. Were those cases which you have cited, and those reported in the trades' reports, cases tried before the magistrates?—Yes.

2004. Were notes of them taken down by any authorised reporter in the court, or were they taken from any newspaper reports of the day?—I cannot say who took them.

2005. You spoke of your secretary; is it the practice for the secretary of the society to attend those cases when tried before magistrates, and make a report of them himself; or does he take them from the newspaper reports of the day?—The secretary who reported this was in the court and attended the trial.

2006. Does he report them himself, or does he trust to the newspaper reporters to make their reports and then select such as he thinks worthy of being transferred into that trade's report?—In this particular case I believe the secretary made his own report, he being in court at the time of the trial.

2007. Are those very highly-coloured expressions which you read from that report, the language of the reporter of the newspaper, or of the secretary of the society?—I expect that the language here is the language of the secretary, but the case was put in strong colours by the newspapers at the time, and I think it was put much more strongly than is expressed here.

2008. Suppose a master committed an act, or omitted to do an act, by which any workman in his employ lost his life, do you or not know that he would be indictable for manslaughter?—I am aware of that.

2009. Therefore for any act of such gross negligence, or carelessness even, any act of commission or omission, by which human life might be lost, the master is, in fact, liable to be indicted for manslaughter and punished by the ordinary law of the land?—I am perfectly aware of that.

2010. You mentioned to the Committee, that in this Act the 4th of George IV., under which proceedings between masters and servants are generally taken, the words "misdemeanour and misconduct" are repeated three different times; are those expressions "misconduct" and "misdemeanour" applied to every act, even to breaches of contract between the workman and the master?—They appear to me to be so.

2011. There is no separation in the 4th of George IV. between simple breaches of contract and any other act that is called "misdemeanour or misconduct"?—I have not noticed any.

2012. You think it unfair and unreasonable to characterize the mere breach of a simple contract between master and servant as an act of "misconduct" and "misdemeanour"?—Yes; such terms not being applied to the case of the employer: the masters commit acts to which the same term might be well applied. I object to the terms being used in that Act as appertaining to the men only, not applying it to the master in any degree whatever.

2013. If the law were that mere matters of simple contract with respect to wages and other matters of that kind between the master and servant should be treated as a purely civil matter; and if a summons were to be issued in the first instance, except in cases savouring of criminality, or misconduct, or misdemeanour, which might be specified in the Act, in which cases a warrant might be issued, would that, do you suppose, be consistent with the views which the workmen take?—If it were made to apply to the workmen, I think the same thing should apply to the masters.

2014. Supposing the framers of the Act of Parliament

liament could specify those acts which would be matters of misdemeanour and misconduct between masters and servants, would you then think it proper that that distinction should exist between matters that are purely matters of contract and matters of misconduct and misdemeanour?—I think it would be much better if a man did not suit the master for the master to discharge him at once.

2015. Supposing he committed an act of misconduct or misdemeanour before he left the master?—I should think a distinction might be made in cases where the workman endangered life or property, or anything of that sort; but "misconduct and misdemeanour" are very vague terms as they now exist in the Act.

2016. A man at the windlass might choose in the morning all at once to strike work, and say, "I will do no more to-day," whereby a great number of men might be put out of employment for perhaps 24 hours; do you think that such an act as that might be specified in the Act as a misdemeanour?—I think that is a matter for fair consideration, and would be an improvement upon the present Act; any way of defining the terms would be useful, and perhaps some legislation in that respect might be beneficial.

2017. Taking an illustration from your own trade, there is the man who closes the uppers, and the man who does the bottoms; supposing there were but those two individuals in the employ of a master, and the person who made the tops deliberately said, "I shall do no more to-day," whereby the other was thrown out of employment; would you think a wilful act of that kind, that could not for the moment be remedied, would be such an act of misconduct or misdemeanour as ought to be punishable accordingly?—I think no good would be derived from punishing such an act as that; the master has the remedy in his own hands; the master would say, "This fellow is careless about his work, he will not do for me"; and he would discharge him.

2018. But not only would the master have suffered by that act, but his fellow workman would have been thrown out of employment; would not you meet such a case with some punishment?—The fellow workman would suffer to an extent, and he would know that it was not the employer's fault; he would put up with it.

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2019. You will not punish the master for the act of the man?—Certainly not; I would not punish any man for what he was not responsible for; I have known men sometimes overstep their proper bounds, and I have seen them somewhat insulting to the masters, but I have observed that those masters who sent them about their business, without taking any other proceedings against them, generally got on better with the men. If a master says, "You are an insulting fellow, I will give you in charge," it creates a bad feeling. I have heard many masters abuse their workmen in a most shameful manner, but it is not customary for the workmen to take any notice of it.

2020. Is not the jurisdiction of the local magistrates, and even the jurisdiction of the county court judges, limited to the particular district or county in which they preside?—Yes.

2021. Suppose a workman violates his contract and goes out of that jurisdiction, how are you to reach him by a civil process?—I think that could easily be provided for.

2022. By enabling the process to be extended to places outside the jurisdiction?—Quite so, and I do not think that the providing for that would be found to be a real difficulty.

2023. Have you seen the forms of warrant issued under the 4th of Geo. 4?—No.

2024. *Chairman.*] In Scotland, by the common law, where a man has been fined and he goes to another service, his wages can be followed and detained in payment of such fine, to the extent of half his week's wages. Do you think such a power as that is objectionable, or desirable, with a view of meeting fines?—I think it is very objectionable.

2025. You do not think that anything of that kind would be desirable?—No; I think it would be productive of harm.

Mr. JOHN WATSON ORMISTON, called; and Examined.

2026. *Chairman.*] I BELIEVE you are Manager of the Shotts Iron Company?—Yes.

2027. For how many years have you been there?—Seven and a-half.

2028. Where are the Shotts Iron Works?—In Lanarkshire, and the company have also extensive coal and ironstone works in Linlithgow and Midlothian.

2029. How many hands are employed in all those works?—I think at the present moment the Shotts Iron Company employ nearly 2,000 men and boys altogether.

2030. You have had experience in the management of iron works, and also in the management of coal mines?—Yes.

2031. What is the system of contract prevailing in your works; have you, what we have heard prevails very largely in Scotland, the system of daily or minute contracts?—The system of contract in the Shotts Iron Company's service is a system of day or minute contracts.

2032. You turn a man off at any hour of the day?—Practically we never do it.

2033. Might you do so without breach of contract?—Yes, but it is never done.

2034. A man might leave you at any hour of the day without breach of contract?—Yes.

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2035. How do you find that system work?—Very well with us.

2036. How long has it been in force in your works?—It is six years since I introduced it into the Shotts Iron Works.

2037. What led you to introduce it?—I had some experience of the working of it in Ayrshire, when I was at Messrs. Merry & Cuningham's works there.

2038. How long had it been in operation in their mines?—I think it is twelve years since it was introduced into Messrs. Merry & Cuningham's works.

2039. You introduced it into the Shotts Works, both in the colleries and in the iron works?—Quite so, the system applying to all the men, with the exception of the enginemen and the furnacemen.

2040. What led to its being introduced into Messrs. Merry & Cuningham's works?—There was a pretty long strike of the workmen; they stopped work without any warning whatever, and at the termination of that strike the masters

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gave notice, that as warnings did not seem to be held binding by the workmen, neither would the masters hold them binding any longer, and therefore they would abolish the system of contract.

2041. Did the men re-engage themselves under this new system without any further strike?—Yes, the strike was terminated by that time.

2042. The same men re-engaged themselves under this new system?—Yes.

2043. Did they do so willingly?—No, they did not like it at first.

2044. What was the result; was it satisfactory to both parties?—Afterwards it was; at first the best men did not like it at all, they did not like to be liable to be turned away at any time, but after they got to see that such a power was never used by the masters, except to turn away bad men, they got quite reconciled to it, and now they like it better than the old system.

2045. Do you believe that under this new system the men remained for longer or shorter periods than under longer engagements?—I believe it makes no difference whatever in the case of the good steady workmen; in the minds of some workmen it creates a feeling of independence; they feel that they are under no obligation to the employer, and that they can leave when they like.

2046. Were you connected with Messrs. Merry & Cuningham's works at the time this system was introduced?—Yes, I was principal manager at their iron works at Ardeer, in Ayrshire, at that time.

2047. Was it on your recommendation that it was introduced?—No, it was arranged by the masters themselves.

2048. The masters of the district?—The masters of Ayrshire and Lanarkshire; I do not think they all went into the arrangement, but Messrs. Baird, in Ayrshire, and Messrs. Merry & Cuningham, and some of the other Lanarkshire iron-masters, agreed to abolish warnings at that time.

2049. From your experience of the working of it in Messrs. Merry & Cuningham's, you introduced it into the Shotts Works, of which you have the management?—Quite so.

2050. Has the result been equally satisfactory there?—Yes.

2051. Was its introduction into the Shotts Iron Works the result of any strike?—No: so far as I can recollect, I think, in the first place, there were several men left without giving the necessary warnings that were required by the rules of the work at that time; and, in the second place, there was a case in which a workman proceeded against the company for refusing to pay him the same rate of wages that they had been previously paying him without giving him a fortnight's warning, as prescribed by the rules of the work, and in that case the company gained the case. It was shown that the nature of the working was so irregular, that prices required to vary almost day by day, and that there was no necessity to give warning; that though the rule of the work was a fortnightly warning, yet that the custom of the particular work in which he was working was that the prices might be varied from day to day, or from week to week, according to the change of circumstances. The man lost his case, but it was that case, and the men leaving without giving the necessary warning, that led me to introduce the system of no warnings.

2052. You say that the men had been previously in the habit of leaving without warning; had many men in consequence of so leaving been prosecuted under the Acts we are considering?—As far as I can recollect, I do not think, in all my experience as a manager, that I ever prosecuted a single man for leaving without warning.

2053. Practically, in your experience, as regards these Acts, they have been a dead letter?—Yes, since I became the manager of the Shotts Iron Works. At the time I was sub-manager of the Glengarnock Works of Messrs. Merry & Cuningham, there were some cases of prosecutions; but half-a-dozen cases altogether are all I can recollect.

2054. How do you account for the fact that in one case there were prosecutions, and in the other not?—The cases that were prosecuted in Messrs. Merry & Cuningham's were particularly aggravated cases of desertion of service.

2055. What kind of cases were they?—I think they were mostly enginemen.

2056. Enginemen leaving their posts suddenly?—Yes, a sudden combination of those men; thereby stopping a number of other workmen from getting on with their work.

2057. In those cases, what was the period of the contracts?—I think they were fortnightly contracts. The rule ran in these terms: "Every workman employed at the Glengarnock Works shall be held to be engaged for two weeks; and thereafter until he shall have given his employer, or have received from him, notice of fourteen days to quit, which notice shall only be given on the pay-day of the Works, or on the second Saturday after the pay."

2058. That applied to all the workmen, whether enginemen or ordinary pitmen?—Yes.

2059. It was in consequence of those aggravated cases of desertion by the men in responsible positions, that the law of master and servant was brought into operation, and they were prosecuted?—Yes, so far as my recollection serves me.

2060. In those pits or other works where the system of fortnightly contract has been abandoned, and the system of day contract substituted, have any instances occurred of desertion of the men in similar positions?—No, I cannot recollect at this moment, a single case.

2061. You have stated that the furnace-keeper and the engineman are the only exceptions throughout all your works to the system of daily or minute contract, what notice are those men required to give?—They are only required to give a week's notice; they can give it any Saturday.

2062. Why are those two men excepted?—Simply because they are in responsible places, and anyone or more of them leaving on a sudden might put the company to very great inconvenience, besides entailing very serious loss and damage upon them.

2063. What are the duties of the furnace-man?—To keep up the fire.

2064. And to stir up the metal?—Yes; to keep the furnace in order generally. Suppose the furnace-man left on a sudden, and another could not be got to keep the furnace in order, the master would be therefore subject to losing 2,000*l.* or 3,000*l.* for each furnace so abandoned.

2065. And the men would be out of employment?—Yes.

2066. The works would stop practically till the furnace could be set going again?—Yes.

2067. To meet those cases you require a week's notice

notice before the men leave?—Yes, because three or four days' notice would enable us to put the furnace in such a condition as to be able to stand for, perhaps, two or three months if necessary: I have known them stand even six months: I mean, stand without doing any damage. They would take the blast off the furnace and stop working and still keep the lighted materials in the furnace, ready to resume working again.

2068. If the man went without notice, that could not be done?—No; the furnace in that case would not be in order for standing, and if it were so left for any length of time, the furnace might be destroyed.

2069. Besides the loss of work?—Yes.

2070. In the same way with the enginemen; if they left the works, I presume their fellow workmen would be thrown out of work, and the master would be put to loss?—Yes; a sudden strike of enginemen might result in the stoppage of all the works together. Supposing there were half-a-dozen pits, and all the enginemen in all those pits suddenly left work, unless the master could get men to take their place, the works would have to come to a stand.

2071. In some parts of the country, is not it difficult to find suitable men competent to take the place of enginemen?—No doubt enginemen are important men, especially where the pits are deep.

2072. Are there generally men in a mine who could at once be put to the engines if the enginemen were to go?—No; generally in large works we have, perhaps, one or two spare enginemen for any sudden emergency; but we could not replace the whole of the enginemen, or half of them.

2073. They are in great demand?—Yes.

2074. There is a difficulty in getting good men?—Yes.

2075. The post of engineman is so important, and so difficult to supply, that it is necessary to make an exception in his case, and to put him under a different contract to the other men?—Yes.

2076. Is the engineman the only exception you make in the pits?—Yes; there are other men employed in the pits whose places it would be just as difficult to fill up as the engineman's, but those men are attached to the company's service by a much higher rate of wages; they are selected men.

2077. Such as what?—Such as roadsmen.

2078. You bind them to you by high pay?—Yes.

2079. If they were to break their contract, would there be danger to life, or loss to the employer?—No, I do not think so.

2080. So far as regards loss to the employer, or danger to those employed in the mines, there is no such necessity for binding persons in the position of the roadsman, as there is in the case of the engineman?—No, not in our case; I speak only of our own works, and our own experience.

2081. In all other mines of which you have any experience in Scotland, where this system of daily or hourly contract is in force, are there exceptions made in the case of the engineman and furnaceman, or is it only in your case that those exceptions are made?—I can only speak of Messrs. Merry & Cunningham's works in Ayrshire, and the Shotts' Works.

2082. How was it in Messrs. Merry and Cunningham's works?—There were those exceptions in Messrs. Merry and Cunningham's works; in fact I just adopted the rule of Messrs. Merry and Cunningham's works in the Shotts' works when I made the change.

2083. In the iron works the furnaceman is the only man in so responsible a position as to necessitate your making that exception?—Yes, along with the blast engineman; but he would come under the class of engineman.

2084. Are you conversant with the working of the Mines Inspection Act?—Yes.

2085. Under that Act there are certain regulations drawn up and approved by the Secretary of State, for the guidance of men employed in the mines?—Yes.

2086. By those regulations the duties of the different men at their various posts are very accurately laid down, are they not?—Yes.

2087. And a penalty of 40 *s.* or two months' imprisonment attaches, does it not, to a breach of those rules and regulations in such cases?—Yes.

2088. It has been given in evidence that under the Mines Inspection Act, the statutory regulations which define the duties of the engineman, and others in the pits, give all the security needful for the proper working of the pit, and for the performance of the duties of the men, rendering it unnecessary to have recourse to the law of master and servant; and that with those regulations the men may serve by the hourly or daily contract system with perfect safety to all concerned; what is your opinion as to that?—I have never considered that, with reference to the enginemen; those are the only class in our pits to which the question would apply.

2089. You cannot say whether those statutory regulations would be sufficient without weekly contracts?—No, I could not say, on the spur of the moment, whether they would or not; I have never considered that.

2090. You do not know whether there are any pits or works where all the men work under daily contract or hourly contract, without exceptions, such as you have mentioned?—No, I do not know any works where there are not those exceptions I have mentioned.

2091. Have you turned your attention at all to the law of master and servant?—Very little.

2092. You cannot speak to the working of the law, because, practically, under the system of hourly contracts that law is very seldom brought into operation; in fact, in your works it could only come into operation in the exceptional cases of the furnaceman and the engineman?—Just so.

2093. Since this system has been in operation, you have had no cases?—I have not had a case for 12 years.

2094. Are you aware that there are a number of pits in Scotland where this system is in force?—Yes.

2095. It has been stated, that out of 35,000 miners, 25,000 are under this daily or hourly contract system; should you, from your knowledge on the subject generally, believe that that is a fair statement of the case?—I should think it likely enough.

2096. Do you think it is a system likely to gain ground?—I think so; I think it is gaining ground.

2097. Is it spreading southwards at all?—I am not aware.

2098. You are not aware of its existence in England?—No.

2099. Are the men satisfied with it now?—Yes,

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Yes, for anything I have ever heard to the contrary.

2100. If they were asked to go back to the system of fortnightly contract, do you think they would object, and prefer the present system?—I think they would prefer the present system so far as my experience goes.

2101. Mr. *M'Lagan.*] Have you ever heard any objection taken to the jurisdiction of the justices in Scotland, in cases of breaches of contract between master and servant?—I have never heard them objected to.

2102. It has been stated to us here, that cases have been tried in public-houses; that the justices have met in a public-house near the colliery, and decided the cases; have you ever heard of such a thing?—I have never heard of such a case.

2103. Did you say that the system of minute contracts was introduced by the masters, or by the men?—It was introduced by the masters in all the cases that I have known.

2104. Do you think that the character of the men has been improved since this system commenced; do you think they remain longer in their work than formerly?—I think it makes no difference as far as the good men are concerned, while as to the bad men we can speedily get rid of them.

2105. You think that the men are not more inclined to leave than they were; they do not wander about more than they did?—No, I do not think so at all?

2106. Were you ever obliged to arrest a workman's wages for leaving his service in Scotland?—Never.

2107. Do you approve of that system of arrestment of wages?—I do not.

2108. What are your objections to it?—I think it leads to the perpetuation of very improvident habits in the workmen, from the facilities it affords them for getting credit at the shops in the neighbourhood of the works.

JOSEPH DICKINSON, Esq., called; and Examined.

J. Dickinson, Esq.

2109. *Chairman.*] ARE you an Inspector of Coal Mines?—Yes; for the Manchester district of Lancashire.

2110. In that capacity has you attention been directed at all to the law of master and servant?—It has come under my notice very frequently, though, as inspector of mines, I have avoided having anything to do with the Master and Servant Act.

2111. In the performance of your duties as inspector of mines, you have perhaps become conversant with the system of contract which generally prevails in the mines in your district?—Yes.

2112. Is that a system of long contracts or short contracts?—The general rule of the district is a fortnight's notice on either side.

2113. You have heard, perhaps, the evidence given by Mr. Ormiston, of the system prevailing in some parts of Scotland, namely the system of hourly contracts?—Yes.

2114. Are you aware whether such a system prevails at all in Lancashire?—To some extent it does, some of the largest employers of labour in my district, in the immediate neighbourhood of Manchester, some of the largest colliery owners, neither give nor require notice.

2115. That system prevails in collieries employing how many hands, should you say?—Between 2,000 and 3,000.

2116. Has that system been recently introduced?—I think it would be of about 20 years' standing, but I cannot speak to it for more than 15 or 16 years.

2117. You do not know whether it was introduced by the masters in consequence of any strikes, or how it originated?—I have heard that it arose out of a very long strike.

2118. Did the men object to it at first?—I only know it by hearsay; I cannot speak to what took place at first.

2119. Has it resulted satisfactorily as far as you know to both masters and men?—I think very much so.

2120. Is it spreading, or likely to spread?—It does not appear to be spreading.

2121. How do you account for its not spreading, if, in the case of both masters and servants, it works satisfactorily?—I think the men on the whole consider that it is more favourable to them to have the fortnightly notice till they have tried it; but, as the last witness told you, as soon as they have tried it they appear to prefer it; that seems to be borne out by what I have seen in regard to those collieries in my district. Practically the men do not throw up their work at a minute's notice.

2122. Are there in those collieries more cases of desertion of service, or not so many as in other collieries?—I should think there are fewer; a workman under the system of minute contract feels that he is secure of his work so long as he conducts himself properly.

2123. And the men in those mines, upon this system, remain fully as long in their employment as they do in the other mines?—I should think longer.

2124. There is a good feeling between employer and employed?—It seems to be a pure commercial feeling.

2125. Do you know if every man in those collieries is under the system of minute contracts, or whether, as the last witness stated was the case in the mines in Scotland with which he was connected, some exceptions are made?—I believe every person is under the system of minute contract.

2126. Including the engineman and the furnaceman?—Including the engineman and the furnaceman, and the fireman; but practically any man engaged in one of those occupations would not think of giving up his post, unless he were a very stupid man, without making the employers aware that it was his intention to change his employment.

2127. In those pits the law of master and servant is, practically, a dead letter?—So far as regards the contract.

2128. The power that the master has under the "Master and Servant Act," of enforcing contracts of service is apparently not required, for the service appears to be well performed under this hourly system?—Quite satisfactorily to both parties.

2129. You are naturally conversant with all the details of the Mines Inspection Acts, from your

your position?—Yes, I have worked under all the Acts from the commencement.

2130. It has been stated, that under the "Mines Inspection Act" statutory regulations are drawn up which meet every case of dereliction of duty that could well be anticipated on the part of the men in the pits in responsible positions?—I think the special rules are capable of meeting such cases.

2131. Those rules impose a penalty of fine and imprisonment, do they not, on men in certain positions specified in those rules, who neglect their duties?—Yes, the special rules become, as it were, a part of the Act; the punishment is a fine not exceeding 2*l.*, or imprisonment for three months.

2132. Is there an option given to the magistrate under those regulations and under that Act, of either imposing a penalty, or awarding imprisonment?—It rests in the discretion of the magistrate.

2133. Have you known many cases under those Acts of fine or imprisonment?—Yes.

2134. Which punishment do the magistrates generally inflict?—In my district they generally inflict the fine; if I saw any disposition on their part to send the offender to prison, I should do all I could to induce them to levy a fine.

2135. Have you known cases of imprisonment?—I do not recollect any man having been sent to prison in my district, but I have seen accounts of men having been sent to prison in other districts.

2136. Were those cases of imprisonment which you have heard of in other districts cases of aggravated offences, or was it simply that the magistrate exercised his discretion differently?—Simply because the magistrate exercised a different discretion.

2137. I suppose you can easily conceive of cases under the Mines Inspection Act, and under those regulations, where a fine would hardly be a sufficient punishment, and where it might be necessary to imprison?—There might be such cases, but they would be very few.

2138. What would you conceive to be a case that would require to be met by imprisonment?—Something aggravated.

2139. If a man neglected his duties and entailed serious injury to either life or limb, or to property, should you consider that a case requiring to be met by imprisonment, or by a fine?—If he did it maliciously I would punish him by imprisonment, but if he did it through ignorance, or want of skill, I think he ought not to be punished by imprisonment.

2140. Should you think, from your knowledge of the Master and Servant Act, that it would be desirable, or not, to introduce a change in the present law?—I think certainly a change is wanted in the law as regards master and servant.

2141. In what respect do you think it is wanted?—The magistrates, at the very least, should have the option of fining.

2142. You would give the magistrates, under the Law of Master and Servant, the same power as is given them under the Mines Inspection Act?—They might be certainly given that power at least.

2143. You say "at least," would you suggest any further alteration?—I think if you could regulate the power of awarding imprisonment, so as to confine it to aggravated cases, it would be well to do so.

2144. Do you think that it would be possible to define the aggravated cases, throughout the whole of the trades of the Kingdom, in which the magistrates should have the power of inflicting imprisonment?—It would be very difficult.

2145. Do you think that it would be possible?—I am not quite sure that it would; but if you could possibly see your way to do it, I think you would be acting wisely in recommending it. Putting a decent working man into prison should be only resorted to in extreme cases.

2146. You think that the option of imprisonment should be given?—Yes; but it should be resorted to as seldom as possible; if you could confine it to aggravated cases, so much the better.

2147. Unless those aggravated cases were defined by the Act; if imprisonment was only to be resorted to in aggravated cases, the judging what an aggravated case was would have to be left to the person administering the law?—There would be a difficulty in that respect.

2148. That probably would be what it would have to end in; you would have to trust to the discretion of the justice in administering the law?—Unless the witnesses who have been giving evidence before you have been able to lead you to lay down some definition.

2149. You, yourself, do not see any way of specifying such cases?—I have not been able to see my way to doing so.

2150. You are clearly of opinion that a change in that direction is necessary?—I think that is undoubted.

2151. You think the law at present as regards the servant, is too harsh and unequal?—Yes, I think it is too harsh and unequal, and that is the general complaint of the men with whom I have conversed upon the subject.

2152. Have you conversed with the masters about it?—Yes.

2153. What is their feeling about the law of master and servant?—They consider that there must be some means of compelling the men not to abuse the trust reposed in them.

2154. Do you think there is a feeling on the part of the masters that the law is somewhat too severe at present?—I think there is, with the thoughtful portion of them.

2155. You think that they would not object to a change?—No.

2156. Have you heard that the Miners' Association have recommended a change?—I have heard so.

2157. The change being, that an option should be given to the magistrate trying the cases, to inflict a fine instead of imprisonment?—That would be a very great improvement.

2158. That you would approve of?—Yes.

2159. It has been further suggested that instead of a warrant being issued in the first instance, a summons should invariably be issued, and a warrant only had recourse to in cases of non-appearance on the summons, or where the case was an aggravated one?—I think that such a change is necessary to keep up the kindly feeling that should exist between master and servant.

2160. With such a change in the law, do you think, from your knowledge of the working of mines, that any danger to the employer, or fellow workmen would be likely to ensue from men suddenly leaving their posts?—There might be that danger with those minute notices, if a person in the position of an engineman, or the position of a furnace keeper, or fireman, or any one in a place

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of trust, were to desert it suddenly; but practically it has not been found that men desert their posts without notice, or without some intimation that they are going. If it were found that it acted in that way, there would be no difficulty in introducing into the special rules of coal mines, provisions to meet such cases.

2161. They would receive the sanction of the Secretary of State, which, I suppose, is given on the recommendation of the inspector?—I have no doubt they would, because the Secretary of State is guided by the inspector in sanctioning special rules established for the collieries. In my district we have no supplementary rules (*i. e.*, a set of private contract rules between the master and the workmen) attached to our special rules; I have set my face against them; there is not a single colliery in the district that has those supplementary rules attached to the special rules.

2162. All the rules in every colliery in your district have been examined by persons representing the Home Office, and are signed and approved by authority?—Yes; but they are not all signed; they only have to be signed in case the coal-owners require us to certify them; it is only a few coalowners who require them to be certified.

2163. Under those rules, and under the Mines Inspection Act, in cases which come under the rules, how are the men brought before the magistrates; is it by warrant or summons?—By summons.

2164. In every case?—In every case.

2165. Warrants are not issued?—They are summoned under Jervis's Act. Generally, an information has to be laid, but every magistrate's clerk does not require an information; most of them do, but not all; then a summons is issued upon that information, the information not being required to be upon oath.

2166. You say, that though those regulations are drawn up under the Mines Inspection Act, they are summoned under Jervis's Act?—The form of procedure is under Jervis's Act.

2167. The power is given under the Mines Inspection Act, and the form of procedure is under Jervis's Act?—Yes.

2168. An information is first laid, and then a summons is issued, and failing appearance to the summons, a warrant is issued for the apprehension of the offender?—He always appears to the summons.

2169. Do many cases arise under the Mines Inspection Act in your district?—Yes; I only take proceedings against the owner or principal agent, or one of the managers. I always leave it to them to take proceedings against the workmen; if they wish to maintain discipline amongst the men, they must see that they attend to their duties.

2170. Before whom are those cases tried?—Before the justices in Petty Sessions.

2171. Is there any rule as to coalowners not sitting on the bench when cases occurring in a colliery are tried?—The owner himself, and certain relatives of the owner, are prohibited from sitting; but there is nothing to prohibit a coalowner sitting, provided he is not interested in the particular case.

2172. Is it provided by the Act that a certain number of magistrates shall hear the case?—There must be two, except in the case of a stipendiary magistrate, then one suffices.

2173. Have you heard any complaint made on the part of the men, or do you believe that there is any ground of complaint, against the jurisdiction of the magistrates in such cases?—I never lay an information where I see the slightest doubt about it, and even going upon those severe grounds, I perhaps succeed in only nine cases out of ten; one might perhaps be inclined to suppose that they had taken a wrong view of the case one loses, but on the whole I believe they are guided by perfect fairness, and I have every confidence in their decisions.

2174. You believe the jurisdiction to be a safe one, and that they administer the law impartially and fairly; can you suggest any other jurisdiction that would be more fair, or more convenient?—No, I prefer the jurisdiction of the magistrates.

2175. As regards prosecutions under the Mines Inspection Act, you would not suggest any improvement as regards the jurisdiction?—No.

2176. As regards master and servant, should you see any objection to cases, under a modified law of master and servant as suggested by yourself, being tried as they now are, before the magistrates?—Not any; it seems to me the most satisfactory tribunal for such cases.

2177. From your knowledge of the working of the Master and Servant Act as regards the trial of cases arising under that Act, do you think you can speak with the same confidence with which you have spoken with reference to similar cases under the Mines Inspection Act, as to the way justice is administered by the justices?—I speak with considerable confidence with regard to their adjudication of cases under the Mines Inspection Act.

2178. Practically they are the same men?—They are the same in both cases.

2179. So that if their decisions are sound and just under the Mines Inspection Act, you see no reason why their decisions should not be equally sound and just in cases coming before them under the Master and Servant Act?—I should have equal confidence in them in either case.

2180. Have you ever considered whether the power of arresting a man's wages which obtains in Scotland would be a reasonable way of meeting fines?—The system as practised in Scotland is excessively annoying to anyone connected with the management of a work; on the morning when they are about to make the pay, they have a handful of little papers arresting the payment of money to perhaps several workmen; whatever those men may have done before they came there it certainly does not appear to work satisfactorily to anyone concerned.

2181. Have you been an inspector in Scotland?—No; but before becoming inspector, nearly 16 years ago, I was an agent at Sir John Guest's collieries, in South Wales, between seven and eight years; and I was also an agent at a colliery in Scotland for three years.

2182. What colliery was that?—It was the Nithsdale Colliery, in the neighbourhood of New Cumnock; it has become chiefly a Cannel coal work now.

2183. Was that under day contract?—No, we gave notice there.

2184. You would not be in favour of any system of payment of fines by arrestment of wages?—No; nor do I approve of arrestment of wages for the payment of debts; because, if a man has not paid his bills at the shops, there are other means

means of compelling him to pay his debts without arresting the payment of his wages at the pay-office.

2185. Do you think that that change in the law which you have heard has been suggested before this Committee, and which you say you approve of, would be sufficient, or does anything else occur to you?—That would be a very great improvement, and would, I dare say, meet the general views of all parties, so far as I have been able to ascertain them; but if you could see your way to limiting the power of imprisonment to aggravated cases, it would be better to do so.

2186. Supposing such a change in the law were to be recommended, from your knowledge of the justices, do you think they would have any difficulty in dealing discretionately with aggravated cases?—As a general rule they exercise a wise discretion, but now and then one meets with a case where the power with which the justices are entrusted has not been exercised in the way one would desire.

2187. On the whole you do not think that there would be any danger of the magistrates abusing such a discretionary power, if vested in them?—Certainly not.

2188. Mr. *George.*] Are those special rules, under the Mines Act, set out in the Act itself, or are they referred to in it, and settled by the Secretary of State?—They are referred to in this way in the Act; the colliery owner is bound to draw up special rules, such as appear necessary for safety, with regard to the persons employed in and about his mine, and having framed his rules, he has first to post them up for 14 days, in a conspicuous place in the principal office, or place of business at the colliery, and also where the wages are paid, so as to give the men an opportunity of seeing whether there is anything objectionable in them, and at the end of that 14 days he has to submit them to the Secretary of State for his approval. The Secretary of State, on receipt of those rules, sends them to the inspector, to make a report upon them to him, and if the inspector's report is satisfactory, they are then returned to the colliery owner, with the information that the Secretary of State does not object to them, and if not objected to by the Secretary of State, they become as much law as the Act of Parliament itself.

2189. They are not, in the first instance, set out on the face of the Act, but after they are posted in the way you describe, and not objected to by the Secretary of State, they then become by reference incorporated in the Act of Parliament and become law?—Exactly; and the workmen are, for a breach of any of these rules, liable to be punished, and so is the owner or the agent for a breach of any of the rules which apply to them; the penalty for the owner or principal agent is not exceeding 20*l.*

2190. Except from the practical difficulty of specifying all the special cases that might arise between master and servant, you do not see any objection to following in any amended Master and Servant Act that might be framed, pretty much the same course as under the Mines' Inspection Act, viz., that certain rules should be approved by the Secretary of State, in which certain offences should be classed as being of a criminal nature, and that they should become virtually incorporated in any new Act of Parliament to be framed?—The plan of having special rules works well with regard to the Colliery Act, because it enables the colliery owners and the inspectors to make any amendment which, in the course of time, might appear to be necessary, without having to go to Parliament for an amendment of the Act.

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2191. The moment those matters were specified between master and men, it would leave no discretion to the magistrates as to what was an offence within those special rules or not?—Not any.

2192. It would be the same as a clause in the Act of Parliament?—Yes.

2193. The only discretion that would remain for the magistrates would be, to ascertain whether the man had violated the special rules, and consequently the Act of Parliament should be inflicted?—That would be all.

2194. Is it by the provisions of the Mines Inspection Act, or by courtesy, that a summons issues in the first instance; is it optional with the magistrates to issue a summons, or, upon information sworn, to grant a warrant?—It is the invariable practice to issue a summons in the first instance. I have never known a case where a warrant had to be issued.

2195. Are you aware whether that is under any special provision in the Mines Inspection Act, or under Jervis's Act?—That is under Jervis's Act; the mode of procedure is under Jervis's Act.

2196. Is there any other proceeding than by summons under Jervis's Act?—I am not prepared to answer that; but I can tell you this much, that the mode of procedure is always by summons.

2197. Seeing that a summons would only go within the jurisdiction of the magistrates, supposing a workman, after he had violated a special rule, left the jurisdiction, how would the proceedings be taken?—The master would have to resort to a warrant if the man left the jurisdiction; and the offender would be liable to the expense of serving the warrant.

2198. As I understand you, you would, in ordinary cases, proceed by summons?—Invariably. I never knew an exception.

2199. If a man absconded, and went out of the jurisdiction, you would then see no objection to proceeding by warrant?—I apprehend that Jervis's Act gives that power; if it does not, it should give it.

2200. You would see no objection to such a provision being inserted in any Act which might be framed for the amendment of the Law of Master and Servant?—Such a provision would be necessary.

2201. Did I rightly understand you to say that any magistrates, in the same trade as the prosecutor, would not sit on the bench during the trial of the case?—The Act only prohibits the owner, or the father, son, brother, or agent, from sitting; the Act does not prohibit other coalowners sitting on a colliery case; as a rule we see no objection to coalowners sitting when colliery cases are being adjudicated.

2202. The Act only specifies that the owner of the mine in question, and relatives of the owner must not sit, leaving all other coalowners on the bench free to sit if they think they ought to do so?—Yes; if there is any difference in the decisions of the coalowners, I think it is that they perhaps come down with a heavier fine on other owners than another justice would.

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2203. Practically, do you see any more objection to magistrates dealing with cases of that kind than their dealing with questions of servants' wages, or agricultural labourers' wages, which cases they now deal with, though every magistrate sitting on the case may happen to be a master or a landowner?—I see no objection to the magistrates; they are generally either gentlemen who have made their way in the world from their ability, or landowners resident in the district; it is an object with them to be advanced to the bench, and I think they feel that the eye of the public is upon them, and they are anxious to show that they administer the law, as far as it is entrusted to them, with fairness.

2204. Is it your opinion, that if it should be determined that there should be new legislation on this matter, the better way would be, instead of attempting to specify cases in the Act, to leave it to the Secretary of State to approve of special rules, like those under the Mines Inspection Act, which would be considered as incorporated with the Act?—You could not do better than follow the example of the Mines Inspection Act, which lays down a few leading principles, those leading principles being carried out in detail in the special rules.

2205. The Act itself might lay down the leading principles?—Yes.

2206. For example, such cases as those where irreparable damage would ensue to property, or danger be caused to life, and matters of that kind, leaving the particular instances to be specified afterwards in the rules to be approved of by the Secretary of State?—It would be a matter of considerable consideration as to what should be the leading principles; but probably there would be no difficulty as to some of them; for instance, that a man suddenly leaving a place of trust, so as to endanger life or limb, should be punished?—It would require great consideration in framing the leading principles.

2207. Though very difficult, it would not be impossible to frame them?—I should think it might be done.

Tuesday, 19*th June* 1866.

PRESENT:

Mr. Dalglish.
Mr. Algernon Egerton.
Lord Elcho.
Mr. George.
Mr. Gathorne Hardy.
Mr. Jackson.
Mr. M'Lagan.
Mr. Edmund Potter.
Mr. Alderman Salomons.

LORD ELCHO, IN THE CHAIR.

WILLIAM PROWTING ROBERTS, Esq., called in; and further Examined.

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2208. Mr. *Dalglish.*] AT the conclusion of your examination the other day, we were upon the subject of breach of contract by a workman, and the mode in which the workman could be punished for that breach of contract, supposing that he had not the means of paying the fine or damages awarded against him; I think you said that you had considered the subject, and had some scheme to propose, or some suggestions to make upon that point?—No; I am not aware that I have anything to propose beyond what I and the other gentlemen who have been examined, have proposed; namely, making the contract a civil contract, and attended only with civil consequences.

2209. Mr. Alderman *Salomons.*] Do not you think that attached to every engagement between master and servant there should be some short notice by which each party might, if he pleased, cancel the engagement?—That question was asked me before, and I answered it in the affirmative. I am hardly prepared to stand strongly by the opinion I then gave; because in a great number of instances, it happens that a superior workman is brought from a distance, where, perhaps, he has an engagement paying him very well; but he is offered a better engagement to superintend others, and is induced to bring his wife and his family from the place where he is, to where he is wanted. It would be a great hardship on that man to be discharged at a month's notice.

2210. That would not affect the principle which I am pointing at; he might have the same right of action against his master for damage, as the master would have against him for causing damage; an agricultural servant, for example, is engaged for a year at the latter end of the autumn when work is slack; for when spring comes, and workmen are in demand, he finds that he has made a bargain which is unfavourable to him, and he wants to release himself from it; but he finds that he cannot, having engaged himself for a year; would it not be better to import into the law of master and servant that common law that works so well in the case of domestic servants engaged by the year, either party being at liberty to terminate his engagement by a month's notice?—I very much doubt it. It is not the law with regard to domestic servants, it is only the law with regard to domestic servants when no other contract is entered into between them.

2211. However, it is so much the custom as to establish a sort of common law?—Yes, what you propose would work exceedingly well, provided that no contract were entered into. I thought your question referred to cases where the parties had entered into a contract, binding them for a year to each other; say a superior file maker; a man who is known to be a superior file-maker is taken from Sheffield to Manchester. I had a case the other day where the value of a man's contract, taking the period of his engagement, was 50 *l.*; the man was suddenly dismissed; his master, afterwards finding there was a contract, sent for him and gave him very inferior work; I brought that case before the county court, and was successful in inducing the judge to hold that putting him to an inferior description of work, was tantamount to dismissing him, and I got 20 *l.* damages; the man had brought all his family from Sheffield, and had given up a good situation there for the purpose of coming to Manchester; if I understand your question rightly, the master ought to have been able to discharge that man by giving him a month's notice.

2212. Take your Sheffield case, it might have been better worth the master's while to pay him the 20 *l.* damages than to keep him on?—Yes, but he would pay him what the judge should decide to be the value of the loss of the contract.

2213. Would not it therefore be advisable that the law should always allow those contracts to be terminated with power to adjudge damage on either side, in a case where damage is sustained by the arbitrary termination of the contract?—In the case I have just given, the master would have given the man a month's notice, and would have kept him on working that time, and then the man would have been dischargeable, and all the loss to which he had been put would fall upon him.

2214. Which is the party generally most discontented with regard to service, is it not the servant rather than the master?—No, I do not think so; I think the discontent is rather with the master against the servant; with the master many circumstances may occur; badness of trade, or the money wages may be larger than he likes to pay; he may have another man offer to do the work at a less rate; and in a number of cases the master would be willing and desirous of getting rid of the servant. On the other hand, the

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servant having settled down with his family, having a house and furniture, and so forth, and having formed his habits and acquaintances, would rather submit to some little loss than leave his employment.

2215. Are not the cases of such skilled mechanics rather the exception than the general rule?—They have been more exceptional than at present; but trades are now extending far beyond what existed years ago; the file trade, for instance, is one. Though there may be special inconveniences, I think all the argument is in favour of placing the workman, with regard to contracts, in the same position as other men; all the general argument is in favour of doing away with the words, or rather the spirit of "master and servant," and so on.

2216. You would prefer that there should be yearly contracts of service without any power of terminating them within the year?—Whatever is done in that direction must be for both parties. I should not like to give the master the power of turning away a workman at the end of six months, whom he had agreed to employ for twelve months, and on the other hand I could not ask for the master to be bound, unless the man was to be bound also.

2217. I mean on both sides, should not there in all yearly contracts be an opportunity of cancelling the contract, as there is with clerks and domestic servants?—My views do not go in that direction, my views are rather in the direction that the contracts should be held sacred; there might be a limit; for instance, a contract for five years seems rather too long; but the objection to a lengthened contract is increased by this criminal jurisdiction. Certainly, if the law is to hold good which has been laid down in Unwin *v.* Clark, that a man may be sent to prison time after time, notwithstanding the fact that he may find his situation unsuited to him, that his wife's health or his own may not be able to bear the particular place, it would be well that there should be some power of terminating the contract on the part of the servant, and also, as a corollary, on the part of the master.

2218. Take the case which is so very common in the southern counties, with regard to the engagement of agricultural servants, where the servant having engaged himself for a year, the master calls in the aid of the magistrates to enforce the contract; how would you propose in substitution of that state of things?—The agricultural servant is such a peculiar being, that unless I gave more consideration to his case than I have done, I do not know what I should recommend; I should, however, deal with him on the same principle as others, trusting, so far as he is deficient in education and so forth, that he might in the course of a few years be on a par with those who have had better advantages.

2219. What would you do with him?—I would bring him before the county court.

2220. What would you go for when you brought him there?—Supposing the man left his employ for a day or a week, if he came before the county court, the judge would ascertain from the master how much damage he had sustained; he would say 5*s.* or 5*l.*, or what not, depending upon the difficulty or the facility of obtaining another person to supply his place, and so the judge would decide for the master or the man. The difference we complain of is this: in the case of the man proceeding against the master, he can only go against the master before the county court, and get the loss which he has sustained, which may be only a few shillings, because the man would have to prove that he could not get employment elsewhere; he would not only have, as the law stands, to prove that he had been discharged, but that he could not obtain employment elsewhere. If the judge should think that he could get employment elsewhere with due diligence, he would give damages to the extent of 4*s.* or 5*s.* On the other hand, in the case of the master proceeding against the workman, supposing a man leaves his employer's service, he is taken before the magistrate, and is liable to three months' imprisonment; and men frequently get it, because it is not an unfrequent observation for a magistrate to make, "I do not sentence you exactly for what you have done, but to make you an example for others."

2221. When this man was brought before the county court for having left his service, how would you deal with him?—In the same way as any man would be dealt with who owed a debt. The master would make out his case; he would say, "I employed this man and he has left me; I have sustained so much damage," and the county court would give the damage according to what it thought proper; the man's goods would be liable.

2222. When the man had paid the damages, what would become of the service?—The service should either then be terminated, or should be subject to the decision of the county court judge. I think the county court judge might say, "I order you to pay 5*s.* for the loss your master has sustained by your being absent, and I order you to return to your service; and, in the event of your not returning to your service, I order you to pay 5*l.*" I mention 5*l.*, because that is the amount mentioned in the Master and Servant Act, as the limit of the wages for which you can sue the master.

2223. When the workman could not pay, what would you do with him, would you send him to prison?—As the law now is, yes; because he would be sent the same as any other debtor.

2224. He would be sent to prison for three months?—No, for 40 days; he would not be sent for 40 days in the way he is now sent; he is now sent for whatever time he is to be imprisoned as a punishment. In the county court he would have to be again summoned, and the judge would have no power to send him to prison unless it was proved that he had money or goods to meet the amount which had been awarded. The power of the county court judge to imprison is given to him as against a contempt of court, and not as a penal infliction for a criminal offence.

2225. Would this man have the power of releasing himself by paying the 5*l.*, or not?—It would be treated just in the same way as any other contract; I would reduce it to a contract; the contract between the two would go before the judge, and the judge would have to decide not the guilt of the man, but he would have to decide on the loss the master had sustained, and give judgment against the man just in the same way as against anybody else.

2226. Would not it be better, then, that the service should be cancelled?—I think the county court judge should have power to cancel the service, as the magistrate now has; I think the county court judge should have the power to say, "You

"You two are not suited to each other, and I cancel the service."

2227. Do you know anything of the practice in the south, in the agricultural districts?—I have had very little to do with agricultural contests.

2228. Mr. *Edmund Potter.*] You object to the use of the term "master and servant" altogether, as I understand you?—I do not so much object to them; I say that they are growing into disuse, and I think it is a good thing that they are growing into disuse. There are men who under the present law are in the position of servants, who are earning their 200*l.* and 300*l.* a year; according to the decision in the Court of Queen's Bench, a calico engraver, earning, perhaps, 500*l.* a year, would come under this "Master and Servant Act."

2229. You would treat labour as you would treat any other commodity, merely as an article to buy and sell?—Yes.

2230. And you would enforce a contract between master and servant in the same way as you would enforce other contracts?—My own view is that the contracts should be enforced in just the same manner as any other contracts; there might be a question whether wages might not be followed where there had been a breach of contract with the employer. At present they cannot. I was talking with a gentleman yesterday who has had vast experience in these matters, and who said that he would have the wages followable to the extent of one third; that is, that the master whose contract the servant had broken, should have the power of giving notice to the other master, with whom the man was serving, to stop a third of the net wages that he was earning.

2231. In the case of a decision by the county court judge, or the stipendiary magistrate, in respect to an unfulfilled labour contract, the county court judge would have the power of ordering payments extending over a certain period of time; he would have the power of saying so much a month should be paid?—Yes, that power is generally exercised with fairness.

2232. After the county court judge had decided that the labourer was a debtor to the master, you think he should have the power to decide the rest of the question?—Exactly so.

2233. Mr. *Gathorne Hardy.*] At present all contracts of labour, unless there is any stipulation to the contrary, are under the "Master and Servant Act," the 4th George 4?—Yes.

2234. Has it ever occurred in your experience that stipulations have been made in a contract between master and servant, that the parties to the contract should not be brought under the operation of the "Master and Servant Act?"—No, it has not; but I have seen this, which is indeed just the reverse; I have seen a list of rules hung up in a factory or mill as long as my arm, against almost every possible offence, against men's smoking or being late, and a variety of other matters, and then at the end that the master shall have the option of either fining the offender, or of taking him under the "Master and Servant Act," or both; and I have known a magistrate send a man to prison after he has been fined under the rules.

2235. Is there anything to prevent a workman entering into stipulations with his employer that his contract shall not be subject to this Act?—My attention has not been drawn to that; but, speaking off-hand, I should say such a stipulation would be lawful; I am not quite certain about it.

2236. Assuming that to be so, then at present the workmen enter into these contracts with their masters with the knowledge that they could enter into a different one?—It is part of the case that the workmen neither know nor sufficiently inquire into their own powers. Theoretically there might be no objection to this Act of Parliament, or any other, because it might be said that the man entered into the contract with his eyes open, and could have entered into others, or could have objected to the stipulations of the contract he entered into; but we do not find it is so, practically; we find that the men will sign almost anything.

2237. Following that point with respect to the rules that are hung up in most factories and in most workshops, do you think there is any injustice to working men in making them a part of their contract, in fact, if their attention is called to them when they enter upon the work?—That is another question to which I must give the same answer as before: to a great extent the workmen do not know what the rules are. It was one of the suggestions I meant to make to the Committee, that it should be compulsory, whatever alterations in the law were made, that a book of the rules should be given to a man on entering his employment; it would not cost any appreciable sum; it would not cost half a farthing; and it would afford evidence of what the contract really was.

2238. But, as I understand you, your objections seem to arise partly from the fact that the workmen either do not or will not know what their rights are?—I know this, that treating one portion of the contract between master and man as criminal begets in the mind of the man a sort of idea (it is not for me to explain it) that everything he does against the master is criminal, so that in a strike which the men have perfect liberty to have recourse to, they are induced to secrecy, and much of their organization is agreed to in secret. I believe that strikes, and a great deal of the wild feeling, and almost savage feeling, which exists on both sides, are rather created by this power of taking up the man as a criminal for a mere breach of contract; and it must be recollected that a greater degree of savagery, if I may use the term, is had recourse to in enforcing these Acts than with regard to any other crime. It not only frequently but generally happens, except in large towns, that the men are taken by warrants, and usually the time when the men are in their beds is selected—and generally they are taken with handcuffs, where they would not be so taken for a larceny. Then they are taken to private houses and tried before the magistrate—no one being present but the master—who is sometimes an intimate friend or relation of the magistrate. I myself trace a great deal of the feeling, which we all regret as existing between masters and servants, to this criminal jurisdiction, and I believe that feeling would not exist if that criminal jurisdiction were done away with and the workman were put in just the same position as any other man. The distinction between master and servant is a monstrous one in the difference of its result to either party. When you proceed against a master for breach of contract, you cannot take him before a magistrate; you take him before the county court judge, and a few shillings damages are awarded.

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awarded. The master may the next day take the man before the magistrate, and may visit him, for a less breach of contract, with three months' imprisonment and hard labour. If the Committee will permit me, I will just give an illustration of that. Some time ago there was a strike at Stockton simply about the length of time the men should work, and the masters finding themselves very strong had recourse to a strike (because a lock-out after all is nothing but a strike by the employers), and they posted up notices that all their workshops would be closed on a particular day, unless the men would agree to work a particular number of hours. At that time there were a number of persons in employ under contract, and a larger number not under contract; but, however, the "Master and Servant Act," the 4 Geo. 4, applied to all of them. This notice so stuck up by the masters was general in its terms, and it was that their workshops would be closed against all labour, so that the men who were under contract were compelled to leave off working the same as the men who were not under contract, and they had to get work elsewhere if they wanted work. After three or four weeks' time the masters, finding they could not maintain the strike, gave notice to the men that they should open their shops again. Some of those men who had been under contract—and several perhaps had gone elsewhere in consequence of those notices—were summoned before the magistrates, and the magistrates decided that they were bound to return to their work. The argument urged on behalf of the workmen was that they had been kept out of work for the last three weeks by the very act of the employers themselves; but it was of no use; the magistrates held that they were bound to return, notwithstanding the stoppage of the contract by the notices which the employers had put up.

2239. Mr. *Edmund Potter.*] Would not the magistrate in his decision be guided altogether by the nature of the contract?—He ought to be; but the language of the contract was positive that the men should go on working till the ship was completed. Those men were stopped in the middle of their work, and then told to come back again, and it was held that they were liable to be punished because they did not come back again.

2240. Had not the master the power of stopping the work according to the contract, and then going on again?—No; it was one of those cases in which a county court judge would have decided exactly the reverse.

2241. Was there not an appeal against that decision?—No, there is no appeal. It is in that fact that part of the evil consists. There is a sort of appeal by demanding a case for the Superior Courts; but this appeal is merely on points of law; and there is the awkwardness that the facts are set out by the very magistrate who has convicted; human judgment, we know, is liable to err; and the facts are not always set out so fairly in favour of the men as one might wish. And there is another thing, the man when he demands a case is bound to produce two sureties to the satisfaction of the magistrates that he will carry the case on to trial. Now, the bail which the magistrates require is pretty much the same as it has always been, namely, two in 20 *l.* each, besides the man himself in 40 *l.* It is often exceedingly difficult to get two men to be bound in 20 *l.* each. Under the Combination Act, if a man appeals to the Quarter Sessions against the decision of the justices, he is only bound to bring two sureties of 10 *l.* together, that is 5 *l.* each. There does not seem to be any reason why so large an amount should be required when a case is demanded. Therefore that appeal to the Superior Courts is seldom had recourse to. In this case which I am speaking of, there were nine men; I should have had to find bail for 360 *l.*

2242. Could you not have taken a case out, on the conviction of one?—I might, perhaps, have done so.

2243. Where there is a trade's union, would not they find the bail for 40 *l.*?—Trades' unions are sometimes very strong, but the strength does not exist in all cases. In this case which I am speaking of, as occuring at Stockton, the trade's union did not recognise the dispute as belonging to them.

2244. Did they find funds for the defence?—No, they did not; my costs were paid by the men of Stockton and not by the trade's union.

2245. Mr. *Algernon Egerton.*] Do you think it would be advisable in such cases as you have mentioned, to give an appeal to the Court of Quarter Sessions instead of to the Court of Queen's Bench?—No; I would myself rather have the appeal to the county court judges.

2246. From the magistrates?—Yes; the county court judges who have received a legal education, are men who are compelled to regard the responsibility of their position.

2247. In a case where the magistrates had awarded imprisonment, and not a fine, do you think the appeal should lie to the county court judge, and not to the Quarter Sessions?—If the criminal jurisdiction is to be retained, I say yes.

2248. In all cases you would have an appeal to the county court judge?—I would like the first proceeding to be before the county court judge; but if the criminal jurisdiction is to be retained, that is, of going before the magistrate in the first instance, I would like the appeal to be to two county court judges sitting, perhaps by themselves, or in connection with the magistrate who decided the case.

2249. Would you have the two nearest county court judges?—I would have them from the nearest courts—two of the judges sitting at the nearest two courts to the place; I would have a day appointed, and let them attend.

2250. Mr. *Gathorne Hardy.*] If the criminal jurisdiction were to be retained, what you propose would be giving a totally new jurisdiction to the county court judges?—Yes; if the criminal jurisdiction were to be retained, then the appeal to the county court judges would simply be in the nature of an appeal from the judgment which had been previously pronounced.

2251. Still it would be a criminal jurisdiction?—Yes.

2252. I suppose in a borough you would not object to the recorder?—No. There was a case occurred a short time ago, in which I am perfectly sure such a jurisdiction would have given a different decision. It was a case which occurred in Dronsfield, in Cheshire: some men had been employed to work on an iron chain composed of links, and they had worked till the chain became injured; the chain was taken away, and another was substituted, but the other chain which was substituted was a chain which had been used some three or four months before, and had broken in its work, in consequence of which a man had either been killed or seriously injured; the chain had been spliced since, and on the men being required

quired to work upon it, they refused. They had no dispute with the employer as to wages or anything else, but they were afraid to work with that chain; they were assured that everything had been done to make the chain safe, but still they were afraid, and they refused to work unless they were provided with another chain. They were summoned before a magistrate, or perhaps they were taken by warrant before a magistrate, at Eccleston, I think. There I urged on their part what I have just stated, but the magistrate held on the evidence given, that the chain was perfectly safe, and in that case we had this remarkable evidence: an engineer was examined, who stated that some of the links would bear, we will say, a couple of tons, and others much weaker, that would only bear half a ton. The magistrate asked him what average the chain would carry; and the witness replied, "A ton." I asked him courteously whether the strength of a chain was not its weakest part; eventually I did convince him that such was the fact; but not till after 20 minutes' tuition. I brought that case in some degree before the Government. Being very anxious about it, I came up to town and sent for Mr. Bazley out of the House, and some other gentlemen. Mr. Bazley said he would take me to Mr. Waddington; I said, "For heaven's sake do not do anything of the sort! I know what I shall have from Mr. Waddington; he will receive me with the greatest courtesy; he will take down two or three particulars from me; he will send to the magistrate, and in two or three weeks time I shall receive the usual lithographed letter, saying that he begs to inform me, with extreme regret, that there is no ground for interference in this case." Mr. Bazley said, "I will try and make a different result in this case"; so I went before Mr. Waddington and told him what I have just stated. He said, "But what is there in this case to take it out of the ordinary category of cases"? I said, "There is this: I pledge myself to this; that the chain which the men refused to work by was defective three months before, and a man was killed, or nearly so, by its defect; I pledge myself to that." "Well," he said, "that does make a distinction, certainly; I will write to you in two or three days;" and he intimated that the men should be released. However, in the course of a fortnight, I got the ordinary letter, and the men were still in prison. That is a case in which a county court judge could not have given that decision. I do not believe the engineer could have given that evidence to a county court judge. The magistrate took it as gospel truth, that one link carrying two tons and another only carrying five hundred weight, the chain would carry an average weight of one ton.

2253. *Chairman.*] The last time you were under examination you said you would consider, before you were again examined, what change you thought might be introduced in the form of procedure before the magistrates, assuming these cases were still to be tried by the magistrates; you have mentioned that you consider there ought to be an appeal to the county court judges; have you any other suggestion to make with reference to the procedure?—I think a servant should, in all cases, have full notice of the charge made against him; at present—under a warrant especially—he has no notice whatever; that I speak to positively; I have frequently been called upon to defend men who have not known what it was they were to be charged with. The policeman goes to the man, generally at an untimely hour; the man asks what is the matter, he has perhaps been working up to six o'clock at night; the policeman tells him, "You will know that soon enough when you get into court." In the summons the offence is generally stated to be breach of contract, but what the particular breach of contract is, does not appear. I think there should be served on the man who is charged a written statement of the precise acts he is charged with and the witnesses who are to prove it. I think it is necessary that he should have the names of the witnesses, that he may learn their character and have some idea of what is to be sworn against him.

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2254. That you would have set forth in the summons?—In the summons, or in a separate paper.

2255. You are of opinion that what has been suggested to this Committee should be done, namely, that the first proceeding should be invariably by summons and not by warrant?—That is my opinion; then, I think, if the criminal jurisdiction should be retained, and the power of proceeding by warrant also, that no warrant should be granted unless it was sworn by the person applying for it, that the man was likely to abscond, and unless some facts were deposed to such as are required to be sworn to by the "Absconding Debtors Act" before the man can be taken into custody, though he may owe half-a-million.

2256. Would you limit the time for the return to the summons?—I think, at all events, the accused ought to have at least 48 hours' notice; the county court gives ten days' notice.

2257. Is there any limit fixed under Jervis's Act?—None whatever; a man may be tried, and is tried the same hour that he is taken; then, I think, that a copy of the rules by which he is to be bound should be given to the workman on entering his service, and should be read to him; all masters are not the same, and in several collieries I know that the rules are read every month; at all events in one or two collieries there are employers who insist upon the men being made to know the rules by their being read to them.

2258. Do you mean that the men are assembled and that the rules are read to the men?—That is what is already done in some collieries, and I would have it universal; there is another thing which I think ought to be done; all cases should be tried in open court, and that court should be the ordinary court where the magistrates meet; sometimes they meet in public-houses; that I do not so much object to, though of course it is very objectionable; but the greatest objection I have is to the magistrates having these trials in their own houses.

2259. There must always be two present, must there not now?—No, only one; in respect to which I would suggest another alteration, that there never should be less than three magistrates.

2260. Mr. *Gathorne Hardy.*] That would be an entire novelty, that would be more than is required for petty sessions?—Exactly so; but I speak from experience I have had, and of one case in particular. I could mention a case where all the magistrates but one were opposed to a conviction; the chairman was for a conviction; the chairman signed the conviction, and the men went to prison.

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2261. That is a proceeding that could have been brought before the Lord Chancellor as a misfeasance?—It could have been brought before the Lord Chancellor; I did not know the facts till sometime afterwards; but, in the meantime, there was a rumour of it; the case came partially under the notice of one of the judges here, and he said he should presume that all that was done was done rightly.

2262. *Chairman.*] In some districts there might be a difficulty in getting three magistrates?—There would be some difficulty; and this suggests the necessity of having a stipendiary magistrate, which would obviate much of the difficulty. At Hyde and other places all the magistrates are, more or less, manufacturers.

2263. Have you any other suggestion to make?—If any general alteration is made, I should say that the men, where their work is tested by weights or measures, should have the benefit of the weights and measures in ordinary use. This is one of the cases in which, theoretically, no harm is done to the men, but, practically, I know that a great deal of harm is done; for instance, there is very often in collieries an arrangement that a ton shall be 23 cwt., or 25 cwt., or 26 cwt., and that a tub should consist of so many cwt., a departure from the ordinary law of the land: a collier assents to that, without considering what he is doing. I would keep them to the statutory weights and measures.

2264. Perhaps you are not aware that that point to which you have just referred has been under the consideration of the Committee on Mines?—I was not aware of that.

2265. Is there any other point with reference to the mode of bringing those cases before the magistrates which you would wish to bring before the Committee?—No; if they are to come before the magistrates, they cannot come better than by summons, the summons containing the entire statement of the case, and a list of the witnesses; and I think, in addition to that, that the man should have the liberty, as he now has under the 17th George 3, with regard to cases brought under the jurisdiction created by that Act, of having a postponement for a week, in order that he may get his witnesses together and have the benefit of such legal assistance as he wishes for.

2266. Mr. *M'Lagan.*] You mentioned that you knew of two collieries where the rules were read over to the men once a-month; will you name those collieries?—I think one was at St. Helen's; I learnt it incidentally in trying some other case; I asked the overlooker whether the men knew the rules; he said, "Yes, they are read over there once a-month"; but I speak rather guardedly upon that.

2267. Where was the other?—I am not able to say.

2268. You mentioned the case of a man that was punished by the magistrate after he was fined by his employer?—I cannot recollect when that happened.

2269. Do you know the name of the employer, or the name of the case at all, or whether it was published?—I do not; I know that it was a long time ago; it made a great impression upon my mind; the result has remained on my mind, but the facts have faded from my memory.

2270. Is not it the fact that the use of any other weights and measures, but the Imperial weights and measures, in any contract renders the contract null and void?—I have contended so repeatedly in Durham, but the magistrates were all against me. I should say that the exception, in Durham and Northumberland, is that the statutory weights and measures are used.

2271. Is not it illegal to use any other weights than the Imperial?—I have contended so, and I believe so; but there is reason for doubting whether it is illegal as between persons standing in the relation of master and servant.

2272. Mr. *Gathorne Hardy.*] As I understand you, it is not that they use illegal weights in measuring the coal, but that they throw something into the ton that does not properly belong to it?—Yes.

2273. Mr. *Algernon Egerton.*] Have you had any cases of dispute in Lancashire, between colliers and their masters, with regard to the measurement of the coal?—No.

2274. Such cases have occurred, I believe?—I do not know whether they have occurred in Lancashire; in fact they would not often occur, they would be very rare indeed; but I have known one or two in Durham, where the men refused to work because the tubs were too large, but in those cases it was because the tubs were larger than was provided by their agreement. What I think is, that if the statutable quantities were adhered to, the tubs would be made equable; 20 cwt. is more correctly reached than 22½ cwt.

2275. Do you remember the name of the place where this dispute occurred with regard to the size of the tubs?—Somewhere in the neighbourhood of Thorneby, in the county of Durham.

WILLIAM BURNS, Esq., called in; and Examined.

W. Burns, Esq.

2276. *Chairman.*] I BELIEVE you are a Solicitor at Glasgow?—Yes.

2277. And Secretary and Law Agent to the Association of Mine Owners of Scotland?—Yes.

2278. And a Member of the Executive Committee of the Mining Association of Great Britain?—Yes.

2279. Has the subject that is before this Committee been brought before that Executive Committee of the Mining Association?—It was so, just about the beginning of the present Session of Parliament, and before this Committee had been struck.

2280. Was it then that that resolution was adopted which was laid before this Committee, suggesting certain modifications of the law?—Yes.

2281. Were you present on that occasion?—I was present on that occasion.

2282. And you approved of that modification?—It was I who moved the resolution.

2283. That proposes that an option should be given to the justices, in case of breach of contract, to impose a fine or imprisonment?—Yes.

2284. That is the substance of the resolution?—It is.

2285. That resolution did not touch upon the question of warrants or summonses?—No; but the subject was a matter of discussion among the committee at the time.

2286. Was

2286. Was no resolution come to upon that point?—None.

2287. It has been suggested to this Committee, that, in the first instance, all proceedings should be by summons, and that a warrant should only issue in case of a man absconding or threatening to abscond; what is your opinion upon that point?—While we did not pass any resolution upon that subject in the Mine Owners' Association Committee, it was discussed, and the general opinion was that the state of the law with regard to that matter might reasonably be modified, but not exactly to the extent that some of the witnesses have suggested.

2288. To what extent do you think it might be modified?—I do not think that a mode of procedure by summons would meet many cases of emergency. My own notion is, that as the master has under the Act to make a certain statement of the case against the party complained upon, and also to make an oath in support of that statement, a distinction might be drawn between cases where the party was about to abscond, and cases where there might be a supposable *bona fides* on the part of the person complained of; it might be a matter arising out of some dispute about wages, or something of that kind; and unless the master was prepared to state in his petition or complaint, and to support it on his oath, that he had reason to believe that the party complained of was about to abscond from the district or country, the summons should be adopted; but if the master was prepared to say in his complaint, and to support it by his oath, that the party complained against was about to abscond, then a warrant should be issued immediately, because obviously a summons in such a case as that would be no remedy. I may illustrate the distinction by a case, or cases, that have come under my own experience professionally. A malleable iron manufacturer in Glasgow had brought from Staffordshire a great number of workmen called puddlers (puddling being the initiatory process of malleable iron making). They were under agreement to serve for a month; we had occasion once or twice to make applications under the statute against some of those men, and we did obtain convictions, but those were followed by the master requesting the magistrates not to send the party to prison upon his professing his repentance and offering to return to his work; however, it ended by-and-bye, in the whole of the puddlers striking simultaneously and giving notice that they were about to proceed from Glasgow to Liverpool by the following day's steamer. Obviously a summons in a case of that sort would have been quite nugatory. We got warrants, and we attempted to apprehend them on board the steamer; we were unsuccessful, they being too strong for the posse of officers. We sent to Liverpool, and, having got our warrants endorsed, we brought back eleven of those men, who were committed to prison under the statute, and for several years we had no occasion to exercise the power again.

2289. How long was that ago?—A number of years ago; it is the most remarkable case that has occurred in my experience as illustrating the necessity of the magistrates having the power to issue a warrant at once. This distinction may be illustrated by reference to our law of *meditatione fugæ*. In Scotland, even a civil creditor, if he is able to say to the sheriff, on a complaint made for the purpose, that his debtor owes him such a debt, and is about to leave the country, if he can condescend in his relative oath, upon facts and circumstances *primâ facie* warranting him in making such a statement, then the sheriff issues a warrant for the apprehension of the party at once.

2290. Is that a power which is frequently acted upon?—Very often. Then the party is apprehended, and if he denies that he is *in fuga*, the complainer is put upon his probation as to the fact; he is allowed to lead evidence to prove the allegation he made in his petition, and oath. If he is successful, then the party complained of must find caution or a bail bond for his appearance at all future diets of the court till judgment is given. That being the state of the law in Scotland with reference to a simple debt, the proof of the existence of which depends, in the first instance, entirely upon the statement of the creditor, I think it is a very strong precedent for retaining in any statute, with reference to the matter now before this Committee, a power in the magistrate under circumstances such as I have been pointing at, to issue a warrant at once.

2291. Practically, are warrants frequently issued in the first instance?—Warrants, I may say, were always issued under the statute, till the passing of "The Summary Procedure Act, Scotland, 1864." There is no option in the Act, the 4th of Geo. 4, itself, between issuing a summons and granting a warrant, and though I understand from report that a practice different from that is followed in England, it never was so in Scotland. By "The Summary Procedure Act, Scotland, 1864," 27 & 28 Vict. cap. 53, cases under the 4th of Geo. 4., and almost under any other penal statute may be brought in a summary way before the court; by it the magistrate is authorised either to issue a warrant or a summons according to the circumstances of the case; and since the passing of that Act the practice has been so far modified that summonses are frequently, or at least occasionally, issued.

2292. The Bill now before Parliament proposes that there should be an appellate jurisdiction?—Yes; there is a Bill before Parliament which proposes to give an appeal to the Court of Session and the Justiciary Court, those being the supreme civil and criminal courts.

2293. Such an appeal would meet the views you have heard stated here?—Very much. I heard the preceding witness speaking of a court of appeal as being desirable; I think such an appeal would meet his views as far as Scotland is concerned.

2294. Do you yourself, from your experience of the jurisdiction of the magistrates, consider such an appeal to be necessary or desirable?—If it could be fenced in such a way as to prevent its running into an abuse, I think it would be very desirable; but I know that many in Scotland feel a strong objection to the proposed arrangement, on the ground that it would be subject to great abuse. They think that there would arise a class of law agents who would encourage appeals of that kind and make a sort of business of them. That is the apprehension in many men's minds in Scotland; and after all an appeal of that kind cannot very well be upon the facts. No doubt by the Bill now before Parliament, it is proposed that the appeal shall be on a case stated by the judge, upon the application of the appellant; but I see great difficulty in creating a very effective appellate jurisdiction in that way to deal with the facts of the case.

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2295. Mr. *Gathorne Hardy.*] The Bill follows the English Act, does it not, in giving the party who is not satisfied with the decision an opportunity of having a case stated for the opinion of the court?—I take it that the Bill for Scotland before Parliament now, is an attempt to assimilate the procedure of Scotland to that of England.

2296. *Chairman.*] From your experience in those cases of the decisions of the magistrates, do you think, with a view to justice, that an appeal is necessary?—I cannot say that I have formed that impression; I think under these and similar Acts an appeal would be very desirable to a higher court, for the purpose of producing uniformity of decision and judgment throughout the various jurisdictions of the country, but I cannot say I would look with a favourable eye upon the proposal to have appeals on cases stated upon the facts, in all those summary proceedings before the magistrates.

2297. Supposing there was no change made in the "Summary Procedure Act of Scotland," and that this Bill now before Parliament did not become law, and supposing it was thought desirable to give an appeal under these Master and Servant Acts from the decision of the justices, where do you think that appeal should lie?—To the Court of Session or Justiciary, if at all; the preceding witness recommended an appeal from the magistrates to the county court judges, who stand somewhat in a parallel position with our sheriffs, but I do think any one would advise an appeal from the justices to the local sheriffs.

2298. You think it would be better to leave it in the hands of the justices themselves?—Yes.

2299. Complaints have been made of the jurisdiction of the justices in Lanarkshire. Have you any reason to believe that cases arising between master and servant, are either harshly or irregularly dealt with by the magistrates in Lanarkshire?—I have no reason to believe so. From my own experience, I would rather say that the magistrates deal more leniently with the parties than a legal judge would. I am quite certain that if a workman were brought before some of our sheriffs at Glasgow, in place of being brought before the justices of the peace, he would be dealt with much more stringently than he is.

2300. You do not believe that there is any failure of justice through ignorance of the bearings of the law of contract on the part of those justices?—I may say I have a general objection to the jurisdiction of unpaid magistrates altogether, arising from their frequent want of knowledge of the law, but since such a jurisdiction exists, I have no particular reason for supposing that there is a failure of justice before the justices of Lanarkshire, any more than elsewhere; I have heard generally the statements made with respect to the justices of Lanarkshire, and I must say that I would look upon those statements as a gross calumny.

2301. Does your experience of the administration of justice, by the justices, extend to other parts of the country?—No; I practice in the courts of Glasgow, Airdrie, and Hamilton, which form the lower and middle wards of the county of Lanarkshire.

2302. You object, theoretically, to unpaid jurisdiction; would you think it desirable in these cases to make a change, and to transfer the jurisdiction under the Master and Servant Acts, from the magistrates, to any other person or body?—Wherever there was a stipendiary magistrate, I should think he would be the proper judge to deal with these and all similar cases.

2303. In Scotland, would you transfer the jurisdiction from the magistrates to the sheriff?—There might be practical difficulties in that, because there would be a difficulty in bringing parties from a distance to the courts of the sheriffs; and there is another practical difficulty, that probably many of the sheriffs have quite enough to do already. The Committee may perhaps be aware that our sheriffs are judges, with almost universal jurisdiction; they have jurisdiction in civil cases up to any amount, and in criminal cases in a great variety of crimes, besides having ministerial duties to perform; and without some alteration in the constitution of the courts, to transfer entirely from the justices of the peace to the sheriffs, those cases between master and servant, might be very inconvenient. At the same time there are localities in which the local sheriffs are not so very fully occupied with other business, but that they might be able effectually to act in the matter.

2304. Mr. *Gathorne Hardy.*] Do you express that opinion as having practised before a stipendiary magistrate, or is it only a general opinion in the favour of a legal assessor instead of a layman?—We have not in Scotland any stipendiary magistrates in the strict acceptation of the term, but our sheriffs, having criminal jurisdiction, and all other jurisdictions, stand in such a position as to enable us to make the comparison. The fundamental defect of unpaid magistracy is, in my opinion, that the legal portion of the business falls upon the assessor or clerk of the Justices of the Peace, so that the responsibility is, in a considerable degree, divided; the justice rests the responsibility upon his clerk, and the clerk being merely the party drawing the wires behind, does not feel the responsibility; that I look upon as the most serious defect in the constitution of such courts; but I think any statement that the magistrates in the county of Lanarkshire, for example, do not do their duty to the best of their ability, is not warranted.

2305. *Chairman.*] Have you any suggestion to make as regards the taking of evidence in such cases before the justices?—No, I cannot say that I have any suggestion to make upon that point; but with respect to the issuing of a warrant or a summons, and the conduct of the case, apart from the punishment or judgment to be pronounced, I think these cases between master and servant are eminently cases in which the law of evidence with regard to *quasi*-criminal proceedings should be assimilated to the law of evidence in civil proceedings; that is to say, that a party accused under the Master and Servant Act, whether the existing Act, or one substituted in its place, should be permitted to be examined as a witness. It must be very often of the greatest importance for the purpose of arriving at the true state of matters that he should have that privilege.

2306. It has been suggested to-day that the circumstances of the breach of contract complained of should be set forth either in a separate paper or in the summons itself; do you think that would be desirable?—Wherever the case was to be dealt with by summons I would take it for granted, looking at the mode in which we transact business in Scotland, that the summons would contain a copy of the complaint containing a statement of the case. We have scarcely such a thing as a summons or citation that does not embrace

embrace in itself the elements of the case that is to be tried.

2307. Would you limit the time within which the summons should be returnable?—I should say two or three days.

2308. Forty-eight hours as the minimum?—Yes.

2309. Have you any suggestions to make as regards costs in cases of acquittal?—I know it is matter of complaint that though parties sometimes are acquitted after having been taken away from their employment, and probably put to some expense in travelling, and in employing a legal gentleman to defend them, they are not allowed any costs. I think it should be in the power of the magistrate trying such a case in all instances of acquittal to award costs, including those travelling expenses, dependent, of course, on the circumstances of the case, because there might be an acquittal under such circumstances that the court would not think it necessary to allow costs, as often happens in our other courts.

2310. Witnesses before this Committee have spoken of the system of arresting wages in Scotland under the Common Law; what is your opinion upon the policy of arresting wages in such cases as those of which we are speaking?—I understand that the suggestion is to give a master the power of arresting the future wages of a workman in payment of any penalty or fine that might be inflicted or damages that might be found due in a case of this description, combined with a proposal to abolish altogether anything in the shape of imprisonment. I understand the arrestment of wages is a proposed substitute for imprisonment.

2311. I think it was put as an option?—Taking it in that way, it occurs to me, from the consideration I have given the subject, and from the discussion that took place between myself and the practical gentlemen of the Mine Owners' Committee, that the proposal to strike out altogether the element of punishment in such a law as this rests upon a fallacy: that the object of such a law is not so much (and it does not profess to be a law for such a purpose) the recovery of loss or damage that may have been sustained by the master, *post facto*, but that it is intended as a precaution against breaches of contract, and thereby the preservation of the necessary subordination and discipline, generally speaking in large works or establishments; so that if there be anything in the principle, there must be always in any law intended to carry it out, a certain punitive element, and the moment you convert the whole thing into a mere money question, of damages for loss, to be recovered by a civil process, you lose sight of that punitive element, and of the influence *à priori*, so to speak, of the law, upon the relation of master and servant.

2312. That answer is given upon the assumption that the punitive character, or the criminal jurisdiction, was to be done away with in any amendment of the law; but assuming that the resolution passed at that Executive Committee of the Mining Association of Great Britain were to be adopted, that would leave an option to the person before whom the case was tried of awarding criminal punishment?—It would.

2313. Giving that option to the justice, should you be in favour of his having the power of arresting wages prospectively in payment of any fine that he might award?—I might say in the first place, I would not be in favour of any avoidance of imprisonment, unless upon the payment of a fine into court at once. The attempt to follow out a process for the recovery of a fine, either by arrestment or any other civil process, would in ninety-nine cases out of a hundred be entirely nugatory.

2314. Is this power, which exists in Scotland, and does not appear to exist in England, of following wages under these Acts, acted upon?—It is to a certain extent.

2315. Will you explain what the process of arrestment of wages is?—It is a right that exists in every creditor holding a decree or judgment to attach the funds or moveable property of his debtor in the hands of a third party. Having obtained his decree, he then proceeds, by a process which we term forthcoming (that is to say, making the subject forthcoming), to call the party holding the funds or moveable property into court, to ascertain what he has, in order that it may be paid over in liquidation of the debt. But besides having the privilege of arresting in this way upon a judgment or decree, the creditor, in the general case, has the further privilege of using such power of arrestment upon the dependence of any suit; that is to say, along with the writ or summons for bringing the parties into court in a civil case, there is combined a warrant to arrest, so that the subject arrested remains in the hands of the third party till the issue of the suit and judgment is given. That is a right belonging to all civil creditors; but it is limited in the case of workmen's wages by statute: for example, the statute constituting our Small Debt Sheriffs' Courts, 1 Vict. c. 41, s. 7, which declares that workmen's wages are not arrestable, except so far as there may be a surplus after what is requisite for maintenance, and the statute 8 & 9 Vict. c. 39, which abolishes arrestments of wages on the dependence of Sheriff Small Debt actions. Practically, it comes to this, that in some courts where forthcomings are brought on arrestments against workmen's wages, the court awards to the creditor half the wages. In other courts a more fluctuating rule is followed, more favourable to the debtor. As to the character of this remedy, I believe that very few in Scotland would say that there should be any interference with it in the ordinary case of debtor and creditor; in short, we look upon it as a facility peculiar to our legal forms; but with regard to the arrestment of workmen's wages I believe the large majority of people in Scotland are entirely against it, for this reason, that it is a thing that induces the workman himself to deal upon credit, because the party furnishing him with goods has this peculiar facility in recovering his debt. On the one hand, it leads the shopkeepers or other dealers to give those facilities of credit upon the expectation of recovery; and, on the other hand, it leads the workman to get into debt, and, having got into the books of the shopkeepers, he very often finds it a difficult thing to get out of them; besides that, there is all the trouble and annoyance that arises from the proceedings for the recovery from the masters of those sums which are arrested. They must keep the money in their hands; they must keep exact accounts of the arrestments, and they must appear in court to exhibit their books, and state the condition of the debit and credit between them and the men, and so on. And without going much further into the thing, I may say that there did prevail until recently

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recently a system of dealers carrying on sales by what were termed clubs; that is to say, a workman entered into a club with many others, and he paid in, we will say, the sum of a shilling a week into the dealers' hands, upon the faith of which he got credit. Some people about Glasgow carried on a very enormous business of that description; indeed, so extensive that they were actually in the practice of keeping sheriffs' officers in their own employ for the purpose of carrying out those arrestments and the necessary proceedings upon them; and it was no uncommon thing to have hundreds of cases of that kind upon the roll of the Sheriffs' Small Debt Court in a single day; I believe that there is no part of our procedure that has been more animadverted upon than these arrestments on small debts, and that it would be an anomaly to give to a master a power of recovering any pecuniary claim against a servant in that way, which is considered so objectionable in the hands of everyone else.

2316. That is a power which you would not recommend should be allowed in any alteration of the law?—It is.

2317. Would you go the length of advising that this Committee should recommend that that power which now exists at common law should be abolished?—If that is a matter which is within the reference to the Committee, I would have no hesitation in saying yes.

2318. You think that the evils are so great attending it?—Yes, I think that the evils are so great that they completely overbalance the benefits.

2319. Mr. *Edmund Potter.*] Would it not be a great bar to a man's getting employment if it were known that his wages were likely to be arrested?—Yes; besides the evils that I have spoken of there is that to which you have pointed; and so annoying are these arrestment proceedings against workmen, miners and others, that when once a man gets into that position that his wages are arrested, it generally ends in his leaving the locality and going elsewhere.

2320. *Chairman.*] Have you had any experience of the working of what has been called the "minute system," in Scotland?—At second-hand; acting as legal adviser of a section of the associated mine owners in Scotland, and for many of them individually, I have had occasion to hear from them upon the subject, and I have also corresponded with them upon it. It is a misnomer to call the thing a minute contract, it is a day contract.

2321. Is the system extending?—Yes.

2322. From all the evidence given before this Committee, it appears to work satisfactorily to both parties; as far as you have been able to hear anything with reference to it, is that your opinion also?—I understand that evidence to that effect has been given to the Committee, but I find a contrariety of views among employers upon that subject; even among mine owners I find those who think it is desirable to maintain a system of warnings, of a fortnight or a week, as the case may be, and who actually do maintain them; for instance, the great firm of Messrs. Baird & Company have that system of fortnightly warnings with their men, and there are others in the same position. Then I find that it is the exception, where in a large work, such as a colliery, the officials, as they may be called, such as the furnace-man and the engine-man, are not under some sort of contract. While in some works they have abolished contracts beyond the period of a day, in the case of their common workmen upon whom nothing very important depends, they retain the contract to the extent of a week or a fortnight, or a month, with those responsible workmen. And I find in the iron works, properly speaking, the system of contracts for a week or a fortnight still subsists; I do not find any modification of it among them.

2323. As far as your experience goes, may we take it to be the fact, as has been stated to this Committee, that this system of daily contracts is very prevalent in Scotland?—You may, I think, take it so.

2324. That it is extending, and that where it exists it appears to work satisfactorily, both as regards the employer and the employed?—I am unable to dispute that as regards miners, with the qualification that it must be applied to the ordinary workman. I cannot speak as to other departments of business.

2325. Such a system must naturally tend, must it not, to simplify all these matters of contract, and to render, practically, the law which we are now discussing a dead letter?—I cannot see that; whether the contract be for a month, or a fortnight, or a day, there is still a contract between the parties.

2326. Are those contracts for a whole day?—Yes, I understand so; nobody, so far as I can learn, would think of employing a man by the hour, on the supposition that he was at liberty to leave his work when he pleased.

2327. So that the term "minute contract," as used before this Committee, is a misnomer?—It is a misnomer, and therefore, suppose all contracts were reduced to a day, and the Act 4 Geo. 4 remained in operation, it would still affect those contracts. If a man agrees to work with me to-morrow, he may put me to very great loss and inconvenience if he does not come; he is then failing to fulfil the contract he has made with me. Again, if he does come, but misconducts himself in the execution of his work during that day, the terms of the Act being "misconduct or misdemeanour in the execution of his contract," he is still liable to the statute.

2328. One may conceive cases where a man might be tempted to break a fortnightly contract, where he would not break a daily contract, because he would know that at the end of twelve hours he would be free, and therefore, under such a system, there would be, would there not, fewer breaches of contract?—So far as the mere breach of contract is concerned, I believe, practically, short contracts may have the effect your Lordship refers to.

2329. They must naturally have that effect?—They must naturally have that effect, but the other elements in the statue remain, "misconduct and misdemeanour in the execution" of the contract.

2330. Do you know anything as to the alleged confinement in cells under this Act; can you speak as to the practice in that respect?—I never heard of such a thing under the statute, and in cases in which I have myself been engaged, I have often considered it rather a hardship that I was obliged to pay an officer for residing in an hotel, or other place of accommodation, with his prisoner, for a night and a day; we never dreamt, under the old system, that a man could be confined till he was convicted; but I may explain that, under the "Summary Procedure

Scotland Act," there is a power given to the magistrate, in case of an adjournment of the proceedings, to issue a warrant for the detention of the party until the next hearing, or until he finds caution or surety for his appearance, and I am led to believe that, since the passing of that Act, and under the powers so given, where the party has failed to find surety for his appearance, in case of an adjournment, there have been instances of confinement in prison; I do not know in what particular way.

2331. It has been stated that the almost invariable practice has been to use handcuffs; do you believe that to be the case in Scotland?—I do not believe a single word of it; I never heard of such a thing, and I may state with confidence that, if under the old Statute, and before this power which I have just referred to in the Summary Procedure Act was given, any man had been imprisoned before he was convicted, he would have had a good action for damages, and he would have found plenty of law agents to follow it up; and much more would that remedy have been open to the man if an attempt had been made to manacle him.

2332. So that, as regards imprisonment before conviction, if there is any, it arises not under the Act which we are here considering, but under the recent Summary Procedure Act of the year 1864?—Quite so.

2333. And that imprisonment does not apply to cases of servants breaking contracts more than to any other case which can be brought under the Act?—So I understand the Act.

2334. That Summary Procedure Act is the general Act applying to every description of case?—It covers the mode of procedure in the case of almost every conceivable statute relating to penalties and small crimes; in short, as its name indicates, it points out a summary mode of procedure with reference to matters in which formerly it was troublesome and expensive.

2335. Has your attention been drawn at all to the special rules which are hung up in mines, for the guidance of those employed therein, and have you any remarks to make upon that subject?—Yes; my attention has been specially called to those rules, seeing that I had a very active hand in the framing of them. I mean the rules as they now exist, almost entirely throughout Scotland, wholly in the west, and I think generally, elsewhere. Those rules are framed under an express provision of the Mines Inspection Act, and when they have been hung up a certain time, in order to allow the workmen an opportunity to object to them, they are transmitted to the Secretary of State, and if he approves of them, they become, by adoption, a portion of the Mines Inspection Act itself. I believe it has been suggested, that the existence of those rules, becoming statutory in the way I have referred to, supersedes the necessity for any general law, as regards master and servant. That strikes me as a very strange mode of attacking the existing law, or any general law, because it suggests the question, why should people employed about mines be treated in an exceptional manner? If it was right, that in 1860 the Mines Inspection Act should be passed, which authorised the existence of such special rules, the procedure under which is of a *quasi* criminal character, it would be a strange anomaly, to say that no other kind of workmen, throughout the country, were to be subject to anything of the same description. I make that remark in passing, for it is important to notice that the Legislature has sanctioned a law of a similar kind to the existing law of master and servant, with reference to workmen in mines, so recently as 1860; and there is also one element in those special rules, which must strike any one very forcibly, namely, that they do not apply merely to ordinary miners, but to all the officials employed about the colliery, up to the underground manager. The underground manager may be a man of very considerable position in the colliery, but he is liable to be brought up summarily under the statute and imprisoned for a breach of those special rules. If that be a defensible law with regard to such people as those, it seems a strange argument to put it forward as a reason why the general law should be abolished. But, apart from that, I do not think that those special rules, even as regards the department of mining, are calculated or intended, or fit, to supersede the general law: they are framed under a section of the statute which limits the extent to which the special rules may be carried: Section 11 says, that "In addition to the general rules, there shall be established and observed in every coal mine or colliery, or ironstone mine, such other rules (hereinafter referred to as special rules) for the conduct and guidance of the persons acting in the management of such coal mine or colliery, or ironstone mine, and of all persons employed in or about the same" Now I apprehend, if it had been attempted under that enactment to introduce into those special rules for the collieries the power of punishing men for misconduct or misdemeanor, in respect of a breach of contract; for example, an engineer not coming to his work under his contract, it would have been objected to by the Home Office at once as not within the purview of the statute. I can scarcely figure to myself any case in which it is more important that regularity should be observed on the part of the officials engaged in any large business than a mine; there is, for instance, the fireman, who must come in the morning and examine all the working places before the men begin to work; there is the pit-head man, upon whom rests especially the regulating of everything at the pit head; there is the engineman, who must work the engine, otherwise everything stops; there is the furnace man, who must keep up the furnaces, and there is the underground manager. Now those parties may be under weekly contracts, or fortnightly contracts, or the contracts may be shorter, but I apprehend that the offence of their remaining away would not at all fall within those special rules. I am very doubtful if the offence of going away would fall under any of them; certainly such an offence as intimidation of their fellow-workmen would not fall under them.

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2336. Would intimidation of fellow workmen come under the Master and Servant Act?—I have no doubt of it, as misconduct or misdemeanour; I have not had occasion to see it tried; but it is a misdemeanour or misconduct in the execution of the contract, he being hired to work with other men, and we may suppose that the intimidation would be for the purpose of inducing the men to stop work. If those special rules and the criminal procedure under them be justifiable, that is an argument in favour of retaining the general law of master and servant rather than the reverse; the procedure being this: the statute first of all

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deals with officials, and then proceeds to deal with the workmen, as follows: "And every person other than aforesaid employed in or about a coal mine, colliery, or ironstone mine, who neglects or wilfully violates any of the special rules established for such coal mine, colliery, or ironstone mine, shall for every such offence be liable, upon a summary conviction for the same, before two Justices of the Peace, or in Scotland before the sheriff having jurisdiction in the county or place where the offence is committed, to a penalty not exceeding 2 *l.*, or to be imprisoned, with or without hard labour, in the common gaol or house of correction for any period not exceeding three calendar months." That is a *quasi* criminal procedure similar to that under the 4 Geo. IV., though it is not quite so stringent, and the penalty to be inflicted under the Mines Inspection Act is nothing to the damage and injury which one of those responsible men to whom I have referred might occasion.

2337. Mr. *George.*] It is optional with the magistrate under the Mines Inspection Act to fine the offender or imprison him?—Yes, I was going to call attention to that; the option is given to the magistrate to fine or imprison, and with or without hard labour, as he sees cause. I think the defect here is, that while a penalty is directed to be inflicted, there does not follow the alternative, that if not paid the party shall be imprisoned; I have noted upon my copy of the statute that very remark: "At the end of this there should be a clause, 'and on failure to pay or find sufficient caution or surety for payment of the penalty, then to be imprisoned, but without hard labour, for any period not exceeding three months.'"

2338. *Chairman.*] The limit to the pecuniary penalty is 2 *l.* in the "Mines Inspection Act"?—Yes.

2339. Under the "Masters and Servants Act," what limit would you fix to the penalty?—That is a point to which I have not specially directed my attention; but, generally speaking, my impression is against a too particular definition of what the magistrate is to do, and therefore I would make the penalty considerable, not exceeding, perhaps, 10 *l.*, or something like that; or you might make it even larger, giving more discretion to the magistrate, to deal with every case according to its circumstances.

2340. Are not the cases intended to be met by those regulations to which you have just referred, under the Mines Inspection Act, cases of men deserting their duty in very important posts; the desertion of which duty might entail very serious loss to the employer, and injury to their fellow-workmen?—I have never known cases of such desertion.

2341. They might occur, might they not?—Yes.

2342. Yet the penalty fixed is 2 *l.*?—Yes.

2343. Why would you in the other case fix the penalty at so much larger an amount?—Because the penalty in the Mines Act is a great deal too small.

2344. Besides the defect to which you have already referred, that appears to you to be another defect, that the penalty fixed at 2 *l.*, is too small?—Keeping in view that these are not laws for the purpose of recovering damages, but for the purpose of producing discipline and subordination, and that the master does not get the penalty, it is merely punitive.

2345. Mr. *George.*] What becomes of the penalties?—They go into Her Majesty's Exchequer. Under the Mines Inspection Act, you are not to measure the penalty by the *ex post facto* appearance of damage that may have arisen.

2346. *Chairman.*] What do you think should be done with the fines in such cases, under the Master and Servants Act; would you propose that they should likewise go to Her Majesty's Exchequer?—I do not think that any master would seek to participate in them, looking upon them in the light that they are punitive. It has been said that the recovery of the penalty by distress, as you call it in England, or pointing as we call it in Scotland, would be a harsher remedy than arresting future wages; I doubt that very much; I would suppose a man would rather pay his penalty by distress than be liable to be pursued with arrestments against his future wages wherever he went. But the men themselves should be the best judges of this. Then another point has been suggested, as I understand, with reference to giving the magistrate power to make any sum awarded payable by instalments. That immediately loses sight of the punitive character of the remedy given to the master, and makes it a mere recompense for the injury sustained. I think it would be an anomalous thing to make such a debt recoverable by instalments. The principle upon which such a power is exercised with us is, that the court is dealing with a man who has *bonâ fide* got into debt, and who is unable to pay, by reason of some fortuitous circumstances, such as want of employment or something else, and for that reason the judge deprives the creditor of his constitutional right of enforcing immediate payment, by saying it shall be by instalments; but when you come to look at the exceptions to that principle, such as a debt for rent, in which no allowance is ever made, you see at once the distinction, viz., that a man may fairly be allowed an opportunity of paying a debt incurred under ordinary circumstances by instalments, but if he is a person who has wilfully violated a contract, or committed misconduct and misdemeanour, and become thereby subject to a penalty, he is not entitled to come under that principle. That suggests the remark, that in determining the aggravated or limited character of an offence, you are not to wait until the consequences of that offence have been ascertained; because in one case an engineer may misconduct himself, for example, in the management of his engine, thereby running the risk of subjecting the master and all those employed in the works to loss of life and serious damage; but by the merest accident, some subordinate man who has been looking on, and who has learnt by observation how to manage the engine, averts the consequences; whereas, in the next case, the same thing happens, and nobody is at hand to supply the engineer's place, the consequence of which is that damage ensues to property and life; but in a punitive point of view, those two men are guilty of the same misconduct. It is a mere accident that great damage is done in the one case, and none in the other, and you ought to deal with them apart from that element of loss and damage. I have made that observation because I have heard it suggested that the punishment should be founded upon the loss and damage.

2347. Is not it the fact that the element of damage is the foundation of the law with respect

to breaches of contract, seeing that in nine cases out of ten the reason why the master wishes the contract enforced is because by the non-performance of that contract damage arises to him?—Yes; but damage may be averted, as I pointed out, fortuitously.

2348. You urge very strongly retaining, as a rule, the punitive character of the remedy against the servant; why, in cases of breach of contract between master and servant, if the injury to the master is one of damage, would you retain the punitive character of the remedy more than you would in any other breach of contract where a person fails to deliver goods or fails to perform any other duty that entails loss and damage on the person who has covenanted for those things?—There are different reasons for that; the most obvious one that presents itself to one's mind is, that where a master, for example, fails to carry out a contract with the servant, the loss or damage is certainly quite a subject of civil claim, and in 99 cases out of 100 may be recovered by civil process; but in the case of a servant failing to perform his contract with his master, in 99 cases out of 100, supposing the remedy were resolved into one merely civil, the loss never would be recovered. I think that makes an obvious distinction between the position of the master and the servant.

2349. You make the remedy punitive or criminal as regards the servant, because you say the circumstances are different?—Yes, that is one consideration.

2350. That distinction would rest solely upon the question of injury or damage?—If you are treating it merely as a question of injury or damage, that is probably the way to put the case. If you treat the question between the master and the servant wholly as one of injury or damage, then the reason I have just pointed at is a sufficient reason for distinguishing between the modes of recovery of the penalty, the offender being liable to imprisonment in the one case and not in the other.

2351. May not a master at present, under Jervis's Act, be imprisoned?—I do not know anything about Jervis's Act; it is, I understand, an English Act entirely.

2352. The state of the law as laid before this Committee is, that in the event of a master not having goods wherewith to pay, he may be imprisoned under Jervis's Act?—That leads me to make the remark, that I would see no objection (and I do not suppose any of the masters with whom I come in contact would see any objection) to making any damage or loss that a servant could recover against him for breach of contract, recoverable by imprisonment, if necessary, which would just be in effect to that extent suspending the operation of the statute abolishing imprisonment for small debts. That would be the result of it. I think it is quite reasonable, that if a servant cannot recover his damages or wages otherwise, he should have that remedy.

2353. Do you believe that the present state of the law causes the existence of bad feeling between master and servant generally?—I do not believe it.

2354. Do you believe that servants are aware of the state of the law?—I believe that they are perfectly aware of the state of the law; they have abundance of advisers anxious to make them aware of it.

2355. And you think that the discontent does not arise from themselves, but rather from those who advise them?—I think so.

2356. Still, those resolutions which were passed at the meeting to which you have already referred, at which you were present, pointed to the opinion on the part of the masters themselves, that the servants had grounds of legitimate complaint?—Cases of hardship have arisen among the men which have given rise to that complaint. I may say, that where cases have come under my notice, in practice, the anxiety of the magistrates and the anxiety of the masters has always been, unless in very aggravated cases, to modify the action of the statute; and therefore it is not at all surprising, when the matter is now made a subject of inquiry of this kind, that such gentlemen as the mine-owners should follow up that feeling by pointing out voluntarily what they consider to be the excessive stringency of the statute.

2357. To revert to the question of the jurisdiction of the magistrates, do you think it desirable that all such cases should be tried before not less than two magistrates, and, instead of at their private houses, in open court?—There is a practical difficulty in a court constituted of two judges, because, in case of difference of opinion, the jurisdiction becomes nugatory. The only remedy for that would be, if the number is to be increased, to make it three.

2358. Do you think there would be any practical difficulty in obtaining three?—I am afraid that to obtain the attendance of three justices in thinly-populated districts might be a difficulty; there would be no difficulty about it in a place like Glasgow. Then, as to the place of trial; I certainly, as a professional man, have always been in favour of publicity in every case of the kind, and where at all practicable, that the trial should be in the open and ordinary court, in place of any private residence; and yet I can conceive of cases where that would be very inconvenient, if not impracticable, the court house being at a distance from the place where the offence has been committed.

2359. Mr. *M'Lagan.*] The great complaint that has been made against the law of master and servant is, that the parties are placed in unequal positions; that is to say, the law enacts that the servant shall be prosecuted criminally, while the master can only be proceeded against civilly; would you have any objection, in any alteration that might take place in the law, to their being placed on an equal footing?—As I have stated in answer to the Chairman, I see no objection to any claims by the servant against his master for breach of contract being recoverable by imprisonment, failing immediate payment.

2360. I think you mentioned that you would have no objection to the law being altered to this extent, that the servant should be summoned before a warrant was issued?—I have endeavoured to explain that I think, in very many cases, the proceeding by summons might be fairly adopted where there was no reason for supposing that the party complained against was about to flee from the jurisdiction, but that the power to issue a warrant *de plano* should remain with the judge, where circumstances are set forth amounting to *primâ facie* evidence of an intention so to flee.

2361. You would have no objection to the law being altered to the same extent as regards the master if he meditated flight?—No objection whatever.

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2362. You would put them upon an equal footing?—I would put them upon an equal footing as regards that, because, if you take such cases out of the statute, abolishing imprisonment for small debts, with regard to the liabilities of masters to servants, they become subject to the common law of Scotland, under which parties may be apprehended if they are going to fly.

2363. I think you stated that you were of opinion that if the Bill which is now in Parliament for the Amendment of the Summary Procedure Act, 1864, were passed into a law, litigation would be very much increased in Scotland?—I do not exactly give that as my individual opinion. I give it as a prevailing impression, both in and out of the legal profession.

2364. Are you aware of the fact that since the passing of the Summary Procedure Act in England, litigation has decreased rather, that there have been fewer cases of appeal than before the enactment of that statute?—I am not aware of the circumstance, but the question implies that there was a right of appeal in England before the passing of that Summary Procedure Act, whereas in Scotland there exists at present no right of appeal.

2365. Are you aware of any collieries in Scotland where the rules are read over to the men periodically?—No, I never heard of its being done. I think that the hanging up of the rules is all that is done generally; and when I speak of the rules I do not mean the Statutory Special Rules for Mines. The rules, in a printed form, are hung up so that they may be read by all the workmen who can read, and I can scarcely suppose that rules can be so hung up and exposed to view without their terms being communicated from one workman to another; and indeed I have found in the case of a complaint, under 4 Geo. 4, that the magistrates refused to convict unless a knowledge of those rules was brought home to the parties. So that it is not sufficient for a master to say "There are rules hanging up in my establishment."

2366. Are you aware that those rules are read over to the men when they enter on the service?—No.

2367. You do not know whether the men sign a copy of the rules when they enter?—I am aware that there are cases in which the men do sign the rules; those cases arise under what is termed the Truck Act, 5 & 6 Vict. c. 99; the Truck Act prohibits the giving of goods for wages, and enforces the payment in moneys, but there are certain exceptions made in the Act itself, where the articles are allowed to be supplied by the master to the men, the payment for them being retained from their wages; but that is only effectual if it be made the subject of a written contract. Now it sometimes happens that the rules which are applicable generally to the work, embody this matter of contract, for the retention of the price of those excepted articles in the Truck Act, and the parties are then required to sign them.

2368. In the large works in Glasgow that practice of having the rules hung up in the workshops is quite common, is it not?—Quite common, I believe.

2369. And the men consider them binding upon them?—That is my impression, when they are brought to their knowledge in any way.

2370. Supposing that the criminal part of the Act were retained in the case of the servant, you have no objection to its being extended to the master also?—I see no objection to placing the parties *in pari casu* with each other. If a summons is issued against a master, and he attends, and there is a conviction, and he refuses to pay, then I think he ought to be sent to prison the same as a servant.

2371. Mr. *George.*] That is to say, imprisoned till he pays?—Yes; I may explain, in reference to my remark about the defective character of the special rules, and to the carrying of them out, that it appears to me where a penalty is inflicted, and the man is imprisoned only for non-payment, he should be liberated the moment he pays. The way it is put in some of the Acts is, that if he does not pay he is sent to prison as an equivalent, whereas I suggest that he need not remain a day longer in prison if he pays the penalty.

2372. Mr. *M'Layan.*] You have stated that you would prefer poinding a man's furniture to following his wages?—That is my own opinion.

2373. Is not it exceedingly difficult to follow a man's wages, and to exercise the right of arrestment when he has left your service?—It is exceedingly difficult; he goes to a distance and you may not discover where he is for a long time, unless you take a great deal of trouble.

2374. You cannot arrest his wages prospectively?—No.

2375. And hence, is not the law of arrestment often evaded by paying the man's wages every day?—Yes; and so annoying is the operation of the law to the master, that it is no unusual thing to see advertisements in the newspaper intimating that they pay such a man's wages every morning.

2376. Hence you would consider this law of arrestment as a means of recovering a man's wages for a debt due to his master of very little use?—I would.

2377. Mr. *George.*] Do you yourself see much difficulty in preparing a general Act on the law of masters and servants analogous to the Mines Inspection Act?—I see no difficulty in it; I have been trying my hand, altering the terms of the Act of 4 Geo. 4, embodying the modifications which I have been endeavouring to explain to the Committee.

2378. *Chairman.*] Perhaps you would be good enough to furnish the Committee with those suggested alterations?—I shall be most happy to do so.

2379. Mr. *George.*] Would it in your opinion be possible in an Act of that kind to classify such matters as should be treated as matters of contract, and therefore compensated by a certain sum of money; and matters that savoured of a criminal nature, and which ought to be considered in the nature of misdemeanors, and punishable by fine?—According to my experience, it is always exceedingly difficult to frame such minute classifications. I was trying my hand at that also, in consequence of knowing what had been submitted to this Committee, and I found it very difficult to work it out. I have to remind the Committee that the thing sought to be recovered under this *quasi* criminal proceeding is the penalty, apart from the loss which the master sustains. The master might bring a suit, if the man had the means of paying, altogether independent of his being punished.

2380. The money recoverable is 40*s.*, that would bear no kind of proportion to the injury that the master might sustain by a breach of contract on the part of a workman?—It might be so.

Following

Following up your question, my impression would be, that it should be left to the court to deal with the distinction between minor and major offences, a maximum being indicated, beyond which the magistrate should not go.

2381. Would you leave it to the magistrate to decide whether it was a mere breach of contract, or in the nature of a criminal offence, letting him deal with it according as he should be of opinion that it was one or the other?—I think that the difficulty of classifying all the various offences that might arise would lead to such confusion that it would be far better in choosing, the alternative between the two difficulties, to leave it in the discretion of the magistrates. I think it should depend upon the statement by the master, whether a summons or a warrant should be issued, and that no warrant should be issued *de plano*, unless such facts and circumstances were shown as *primâ facie* led to the belief that a summons would be inoperative; and the master should be required to support that statement by his oath, as he has to do at present; should he make upon oath a statement of the facts and circumstances upon which he alleges that it is necessary to issue a warrant.

2382. Do not you think if those proceedings were taken in sessions, in a public court, to which the public would have access, instead of being heard before the magistrates in their own houses, power might be given to even a single magistrate to hear the case, leaving the court open to as many as thought fit to attend?—As regards the operation of these and similar summary proceedings, it is a mistake to speak of the courts sitting at periodical times, at all events with us in Scotland. A case of this kind occurs on an emergency, and there are no sessions sitting; you have to go and attend a justice who will take up the case.

2383. Do not you think it would be very desirable, and that it would do away with a great deal of the objection which men feel to being brought before a magistrate at his private residence, and without any one but the clerk, probably no witnesses being present, if there were public courts where the magistrates might meet once a week. In Ireland the magistrates meet once a fortnight or once a week, in what are called Petty Sessions, which are open to the public, and which is a court of record; and we know that there are a great variety of acts which, provided they are done in sessions, one magistrate may do on the failure of a second to attend; do you not think that it would give a great deal of sanction to those proceedings, and probably make them less objectionable to the work-people, if those proceedings were taken in sessions, in the way I have indicated, instead of being taken before a magistrate at his own private house?—In answer to the Chairman I said, that I was certainly in favour of all judicial procedure, and more especially criminal or *quasi* criminal procedure being in open court; and therefore, where it was at all practicable, I would have the justices, under any statute regulating the law of master and servant, sit in the ordinary open court.

2384. Perhaps you are not aware that in Ireland matters referring to the wages of agricultural labourers, and of domestic servants, and indeed every matter between master and servant, are brought before the magistrates in Petty Sessions, as many magistrates attending as may find it convenient to do so; but, in the event of only one magistrate attending, power is given to that one in Petty Sessions to make an order; do you think that anything of that kind would obviate the difficulty?—That is taking me into English or Irish legal ground, and I do not like to speak of things beyond the Border.

2385–6. Does not it seem to you that a good deal of the objection which has been raised to a single magistrate hearing a case in his own private chambers, and without any witness, instead of in the public court, would be obviated if the court was held publicly, to which one or more magistrates would have access?—One difficulty would be obviated, but another would be created, which is, that these cases between master and servant will not stand even for a week. They require to be decided directly; that is the difficulty which I see in laying down any absolute rule about where the cases are to be conducted. In such places as Glasgow the proceedings are invariably in the open courts. As illustrative of my observation about the punitive character of these laws, perhaps you will allow me to suggest the case of a ship's crew. Why should the crew of a ship be subject to such stringent regulations for discipline? They are merely in the position of servants to a master, and under a contract. I merely throw that out as illustrating what I have been saying.

2387. When you were proposing to re-model and alter the Act 4 of Geo. 4, did you think it advisable to alter that expression which pervades the whole of that Act, namely, "misdemeanour and misconduct"; that every breach of contract under the Act is to be treated as "a misdemeanour and misconduct"?—"Misdemeanour" is a legal technicality in the South, the precise meaning of which we in the North do not quite understand; but I should think the term "misconduct" would cover all that is really meant.

2388. *Chairman.*] Is there any other point which you wish to bring before the Committee?—I should like to mention to the Committee that, after the resolution brought before them by Mr. Lancaster was passed by the Associated Mine-owners at the meeting in London, it was suggested by Sir George Grey that the feeling of employers in the different districts should be ascertained, and members of committee were requested to go down to their various districts and ascertain what was the feeling or impression among other employers of labour, besides the mine-owners, in those different districts. I believe Mr. Lancaster stated what the result was in England; I may say that, on going down to Scotland, I put myself in communication with such gentlemen as ship-builders, engineers, bottle-makers, glass-makers, potters, and others, and, either verbally or in writing, I think that I am warranted in saying there was a universal acquiescence in the view which was indicated in that resolution of the mine-owners.

THOMAS PART, Esq., called in; and Examined.

T. Part, Esq.

19 June 1866.

2389. *Chairman.*] YOU have, I believe, been Clerk to the Borough and County Magistrates of Wigan between 30 and 40 years?—I have.

2390. And you have been Clerk to and Registrar of two Courts of Request, and county courts, which were converted into county courts afterwards?—Yes, for nearly the same period.

2391. You can speak, therefore, to the way in which the Master and Servant Acts work, so far as regards the jurisdiction of the magistrates?—I can speak to it so far as the comparitively few cases arising in our district have enabled me.

2392. You have not had many cases before you?—Not many, considering the extent of the population, and the number of works in the district.

2393. Have you turned your attention to the question whether it is advisable that cases arising under those Acts should be tried before the magistrates?—It has formed a subject of consideration with me often, and I am strongly inclined to think that it would be advisable to retain the present tribunal as it now stands, retaining the option which now exists of either having recourse to the magistrates or to the county court.

2394. Do you mean that there is that option under the "Master and Servant Act"?—By the common law, for a breach of contract, a servant can bring an action against the master for the loss he has sustained; he can bring an action for the recovery of his wages, or he can summon him before the magistrates.

2395. Has the master the same option?—In the case of the master, he would most probably not have recourse to the common law, he would have recourse to the magistrates.

2396. You say there is an option on the part of the man; would you, in the case of the master, propose any change in the law, so as to give an option, as regards the enforcing of contracts, on the part of the employer against the employed?—I do not think it is called for, or that it would be for the interest of either master or man. Supposing a question of breach of contract arose between master and servant, and the master complained of something the man had done, he would have an immediate remedy by application to the magistrates; there would not be a delay of more than a week at the outside; whereas, if he were to have recourse to the county court, there would be a delay of at least a month, and during that month the man might be kept in suspense, and probably have to remain idle and debarred from obtaining other employment.

2397. Have you heard the evidence given before the Committee?—I have heard a good deal of it.

2398. Are you prepared to suggest any alteration in the law or any change in the jurisdiction?—I think it would be desirable in all cases, except upon a special declaration that there is a necessity for a warrant, that a summons should issue in the first instance; that has been the invariable practice in my office ever since I began to act as clerk to the magistrates. I have never issued a warrant in the first instance unless there has been some special reason for it.

2399. It has been suggested that an option should be given to the justices to award either fine or imprisonment, according to their discretion; would you approve of such a change?—I think that it would be a very great improvement, and I think a fine should be in the first instance awarded, unless the magistrates be satisfied that in their own judgment it was an aggravated case, calling for imprisonment.

2400. Would you think it desirable to give any appeal from the decision of the justices?—Yes, I think there ought to be a power of appeal.

2401. To whom?—To the Quarter Sessions.

2402. Complaints have been made of justice failing, through ignorance on the part of the justices, and through sympathy, on their part as employers of labour, with the prosecutor; do you believe that there are any grounds for such complaints?—No, I think not, so far as my experience goes. I think, in the interest of the workman, it is advantageous for him to have a practical man on the bench, because he is able to understand the technical details that may arise in the case that may be brought before him. I have often known instances of judges in the county courts, from want of practical knowledge, not being able properly to apply the evidence. Nine cases out of ten that come before the magistrates turn not upon any question of law, but upon questions of fact.

2403. In case of a breach of contract on the part of a collier, you would think it desirable that a coal-owner should sit upon the Bench (not of course his employer), on account of his practical knowledge of all the technical details of the working of the mine; you think he would be better able to give judgment on such a case than a county court judge?—If it were a mere abstract question of breach of contract that did not involve any question of practical working, probably it would be more satisfactory to all parties that the Bench should consist of magistrates not employers of labour in the same trade; but so many cases involve questions of practical detail which a person conversant with the trade can alone thoroughly understand, that I think, on the balance of good and evil, the advantage is in favour of having men conversant with the trade who are not personally interested in the question.

2404. Though generally in favour of issuing a summons first, you would, as I understand you, approve of a discretionary power resting with the magistrates of issuing a warrant, which, I presume you would think, would be upon a statement of fact, upon oath being tendered to him by the person seeking the warrant, that the person against whom the complaint was lodged was likely to abscond?—Yes; I should certainly guard it by the necessity for an information upon oath before the magistrates, stating the grounds why a warrant ought to be issued in the first instance.

2405. Would you recommend that the summons should set forth in all cases the grounds of complaint?—We always do set forth the general nature of the complaint in the summons, though the details are not given.

2406. Would you limit any time for the summons?—It would be desirable to put some reasonable time as the limit within which the summons should issue, provided the party could be met with. The police should exercise due diligence, but if the party could not be met with, the summons should remain in force. I would not allow

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an offender to escape by keeping out of the way.

2407. Would you suggest that such cases should in future be tried before more than one magistrate?—I think it would be desirable that such cases should not be tried before less than two magistrates.

2408. Would you have such cases tried in Petty Sessions, or in some public place?—In some public place, certainly; in all cases of summons I would have them heard in Petty Session, but in cases of warrant, where the liberty of the subject was interfered with, of course it would not be desirable to wait till a Petty Session was held, if two magistrates could be got to attend.

2409. Would you require the presence of two magistrates on the issue of either a summons or a warrant?—One magistrate would be sufficient; generally speaking, the issuing of a summons or warrant is a mere ministerial act; I would make no change in that respect.

2410. Have you any other suggestions to make with reference to the form of procedure, assuming the jurisdiction to remain as at present?—No, the tribunal works with us very satisfactorily.

2411. Mr. *George.*] Do you set out on the face of the warrant the nature of the charge?—Yes, in much the same way as in indictment.

2412. Sufficient to inform the workman of the nature of the offence?—Certainly; it is my practice to state the offence in the warrant, in the same way as in the information.

2413. Assuming the option of imposing a fine instead of imprisonment to be given, what limit would you put to the amount of the fine, or would you put any?—I think it is undesirable to subject parties to too heavy a fine; where it was an aggravated case imprisonment ought to take effect at once. I do not think it desirable to put the fine at a higher amount than 5 *l.*

2414. Mr. *Potter.*] Would that be enough to meet all cases?—My experience leads me to think that a larger fine would necessitate men going to prison for default of payment; 5 *l.* is a large sum of money for a workman.

2415. Do not you think that it might be necessary to call the Act into operation, in the case of some of the higher class of workmen, in whose cases a fine of 5 *l.* would not be a sufficient remedy?—I think it is very seldom that the Act is required to be put into operation in the case of the higher class of workmen.

2416. Do you not think that it might be necessary to impose a higher fine than 5 *l.*, in order to prevent men being bribed to leave their employment?—I think where a man was open to receive a bribe to leave a particular employment, it would be better that he should leave that employment. I think heavy fines defeat themselves very often.

2417. Would you see any danger in putting the limit at 10 *l.*?—I think the cases in which that limit might be gone to, if adopted at all, ought to be special cases, and specified in some way in the Act.

Friday, 29th June 1866.

MEMBERS PRESENT:

Mr. Clive.	Earl Grosvenor.
Mr. Algernon Egerton.	Mr. M'Lagan.
Lord Elcho.	Mr. Edmund Potter.
Mr. Fawcett.	Mr. Alderman Salomons.

LORD ELCHO, IN THE CHAIR.

WILLIAM MATHEWS, Esq., called in; and Examined,

W. Mathews, Esq.

29 June 1866.

2418. *Chairman.*] I BELIEVE you are owner of iron and coal works in South Staffordshire?—Yes, I am.

2419. And you are a Magistrate of the counties of Stafford and Worcester, and President of the Mining Association of Great Britain?—Yes.

2420. Have you been long engaged in the coal and iron trades?—Yes, upwards of 40 years.

2421. You have therefore had your attention directed to the Acts regulating the law of master and servant?—Yes, not only as an employer of labour, but as a magistrate.

2422. As a magistrate you have had experience of the working of those Acts, and have had to sit in cases arising under them?—Yes.

2423. Will you state to the Committee anything with reference to those Acts which you think desirable should be brought under the notice of the Committee?—There has been a great complaint on the part of the workmen with regard to committing men to prison for breaches of contract, or, in other words, visiting a civil offence with a criminal punishment. There has been a very prevalent impression of injustice on the part of the workmen on that score; and not only so, but the stipendiary magistrates of my district, who have generally had to deal with those cases, are under the same impression, that it is hardly right to visit a civil offence with a criminal punishment. There has therefore been considerable disinclination on the part of the magistrates to commit, as well as on the part of the prosecutors to have the men committed. The subject has been brought before the Mining Association of Great Britain, and that body is of opinion that the law may be safely modified to the extent of giving magistrates the option either of fine or imprisonment. The objection to fining is this, that the fines are usually paid by the workmen's unions, and therefore the fine amounts to no punishment at all, though the case may be an aggravated case. On the other hand, in cases of committal to prison, the legal adviser of the men generally applies to the magistrate to take bail, giving notice of appeal against the conviction; the result of which is that the men are released out on bail, and a considerable time elapses before the appeal can be brought on. In the meantime, the offence having passed out of sight, the master has become lukewarm in the prosecution, and it ends in no prosecution at all. The result is that there is a defeat of justice in cases where the fines are paid by the workmen's union, and there is an equal defeat of justice in the case of committal to prison by the process I have just mentioned. We therefore think that the law might be advantageously modified by giving the magistrates the option either of fine or imprisonment. The magistrates, in the exercise of their discretion would, of course, in a case which they thought would be met by a fine, impose a fine to the extent of the nature of the case, and they would only imprison in aggravated cases.

2424. That would imply a change in the law, there being at present no such option left to the magistrate?—Yes.

2425. What you have suggested as a change in the law was suggested, was it not, by the Mining Association of which you are president?—It was brought forward by the Mining Association in the first instance; I mean before it was publicly taken up.

2426. What was the date at which it was brought forward by the Mining Association?—The 20th of February of this year.

2427. So that it was proposed by the Mining Association before the meeting of this Committee this year?—Yes.

2428. But you are aware that the Committee had met last year?—So I understand; but I do not think that the proceedings of the Committee last year excited much attention, the Committee not having made any report.

2429. Your association proposes, does it not, that the jurisdiction should remain as at present, with the magistrate?—Yes.

2430. You propose no change as regards the jurisdiction?—None at all; all that we propose is, that the powers of the magistrates should be enlarged to the extent of giving them the option of fine or imprisonment. I may add that, in some districts, the magistrates in strictly construing the Act, hold that they have no option as to issuing a summons or a warrant, but that it is incumbent upon them to issue a warrant. I understand that in Scotland they act rather rigidly upon that impression; but in the Midland districts the magistrates almost invariably issue a summons in the first instance, and if there is no appearance to the summons they then issue a warrant to bring the culprit before them.

2431. To revert to the jurisdiction of the magistrates, you would not propose any change?—No.

2432. Complaints have been raised before the Committee, that the magistrates being like the prosecutor,

prosecutor, employers of labour, have a sympathy with the prosecutor, and that there is, thereby, a failure of justice; do you believe that, generally speaking, such a charge could be substantiated?—It is very natural to infer that that would be the case, but I may observe that, according to my experience, magistrates scrupulously abstain from acting in a case with which they are in any way directly or indirectly connected. In Staffordshire, and in other districts, there are stipendiary magistrates, and the stipendiary magistrates almost invariably take those cases.

2433. There is nothing at present to prevent a coal owner sitting in judgment upon a coal owner's case, is there?—I think not.

2434. Do you think it would be desirable, in any change of the law, to prohibit his doing so?—I think it would be far better left to the good taste of the magistrates themselves. I do not think that any magistrate, with a proper sense of right, would be inclined to adjudicate in a case in which he was either directly or indirectly involved.

2435. I do not mean only a case in which his own personal interest was involved, but a case involving the interest of his class?—I mean such a case as that when I say "indirectly." The interest of his class would be indirectly his own interest.

2436. If mere convenience alone were considered, it might be desirable that a coal owner should sit in a case in which another coal owner was concerned. Would you think it desirable to prohibit that by law?—I should not think it desirable to prohibit it by law. I should not act in a coal owner's case myself. I should say, "I am indirectly interested in this case, and I decline to act." In North Staffordshire, for instance, there are two classes of manufactures, the iron trade, and the pottery trade. Magistrates who are engaged in the iron trade almost invariably decline to act in a case of breach of contract arising in the iron trade, leaving the adjudication of it to those magistrates who are unconnected with that trade; and on the other hand, magistrates who are engaged in the pottery trade do not act when a case comes before them connected with the pottery trade. There is a stipendiary magistrate there too; so that I think there would be hardly any necessity for making any alteration in the law, beyond the alteration which I have been alluding to, namely, giving the magistrate the option of imposing a fine or committing to prison.

2437. In your district, practically, magistrates do not sit in a case where the prosecutor is in the same trade as themselves?—Very rarely indeed.

2438. What would your objection be to making that which is practically the rule really the rule?—I have no particular objection to it beyond this, that it would be casting a sort of imputation, however distant, upon gentlemen, that they were supposed to be capable of doing an injustice.

2439. But that imputation already exists in the law, inasmuch as a magistrate is forbidden by law to sit in his own case?—Yes, but I think that the law has already gone far enough in that direction. In the case of the Truck Acts, not only is a magistrate, who may be connected with the trade in which the truck system is practised prohibited from sitting, but all his relations are disqualified from sitting.

2440. It is the fact, is it not, that brewers cannot sit in licensing cases?—I believe it is.

2441. Supposing such a prohibition were enacted, it would only be an extension of a principle already found in legislation?—It would be an extension of a principle already sufficiently unpopular, and, therefore, I would not have it carried further in that direction.

2442. Do you believe, irrespective of the unpopularity and damage to character from such an imputation, any practical inconvenience would arise from such a prohibition; do you think that there would be a difficulty in getting a sufficient number of magistrates?—I think there would be in some districts; for instance, in some parts of Wales, and other mineral districts, the magistrates might be very few in number unconnected with the trades of those districts.

2443. On the other hand, it has been suggested that, frequently in cases brought before the magistrates under these Acts, technical matters are involved, in which it would be desirable to have on the bench a person well acquainted with the branch of labour connected with the particular case brought up for decision?—No doubt it would be.

2444. Do you believe that in mining cases it would be difficult to get a sufficient number of magistrates technically conversant with mining, and who would not be connected with the case to be adjudicated?—In some districts it would; it would not in the midland districts, because there there would be no difficulty in getting magistrates who would be totally disconnected with the particular case.

2445. Who would have a knowledge of mining operations sufficient to meet any technical point which might arise?—Yes.

2446. At present the cases must be tried before two magistrates?—Yes.

2447. At present a man may be tried in a magistrate's private house; would you suggest any alteration in that respect?—I deprecate that most strongly; I would not adjudicate a case in my own private house.

2448. At present, as the law stands, that may be done, and is done, occasionally, is it not?—No such case has come within my own knowledge; no doubt there are such cases.

2449. Such cases you would strongly deprecate?—Yes.

2450. You would have the cases tried in some public court, in preference to a public house?—I deprecate privacy in the administration of the law in any case.

2451. You object to the law being administered in public houses?—You are in some districts obliged to hold the Petty Sessions in public houses.

2452. In consequence of there being no public place in which to hold them?—Yes.

2453. Might not it be advisable that public courts should be erected where they do not now exist?—Yes; in Staffordshire many have been erected within the last ten years, for two objects; first, that everything should be as public as possible, and next, that the Petty Sessions should not be held in public houses.

2454. You say that it is desirable to retain the power of imprisonment for aggravated cases; you would not be able, I presume, to define what constitutes an aggravated case; that must be left to the discretion of the magistrate?—Yes, it must;

W. Mathews, Esq.

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must; but I wish to convey to the Committee that many cases arise in which the breach of contract of the workman is of so aggravated a character, involving so much pecuniary loss to the master, and so much injury to the fellow-workmen, that it may be a case for committal to prison in the most summary fashion.

2455. From your knowledge of mining operations, will you specify what you would consider a case of such an aggravated character as to require a more stringent punishment than a fine?—I will take the case of the engineer at the blast furnace engine; he might leave his work, thereby causing the furnaces to stop, and unless there were an engineer on the spot whom you could put into his place, it might throw all the men engaged at those blast furnaces out of employment; by which there would be great pecuniary loss to the master, and great injury to the workmen. In such a case as that, unless a reasonable excuse were offered, I would give power to the magistrate to commit him to prison summarily.

2456. In the case you have just specified, the breach of contract would lead to a loss, you say, to the master as well as to the fellow-workmen by stopping the work?—Very great pecuniary injury; and in other cases which might be put, such as stopping the pumping engine, it might lead to the men being drowned.

2457. So that you would be in favour of retaining the power of imprisonment in aggravated cases in the interests of the employed, as much as in the interests of the employer?—Yes.

2458. You think there would be no difficulty in the magistrates drawing the line between ordinary cases and the cases that ought to come within the class of aggravated cases?—No. I think it would require no great ability or acuteness of intellect to distinguish them.

2459. Such aggravated cases would be exceptional?—No doubt. I have had such cases in my own works, but they are not common.

2460. With regard to the mode of procedure, it has been given in evidence before this Committee, that the form of procedure is generally by summons, a warrant being issued in exceptional cases?—That is the practice in the midland districts. I may say that the magistrates in our district never issue a warrant except under pressing circumstances, such as a man absconding, or in very aggravated cases indeed. I never grant a warrant myself unless a summons will not answer the purpose.

2461. Should you think it advisable to lay down the rule that in all cases of breach of contract, the first procedure should be by summons?—No; I do not think it would be advisable to lay down that rule, because cases may arise (and those can only be decided upon by the discretion of the magistrates) in which a warrant would be absolutely necessary; where, for instance, the man may be gone off in three hours, and therefore I would leave it to the magistrate to issue a warrant or a summons as in his discretion would best meet the ends of justice.

2462. You would lay down the rule that a summons should be issued first, leaving it to the magistrate to issue a warrant only in exceptional cases?—Yes.

2463. Do you think the cases in which warrants would have to be issued would be frequent?—I think not.

2464. Do you think they would be very exceptional?—I think they would be very exceptional.

2465. The existence of that power to issue a warrant in those cases, would, to a certain extent, take away from the grace of the concession on the part of the employers that recourse should be had to a summons as a rule, would it not?—I hardly know what to say upon that point, because we so rarely come into contact with the necessity for applying for a warrant.

2466. Does it not strike you, if that is the case, if the issue of a summons would be the rule, and the issue of a warrant the exception, that it might, perhaps, be hardly worth while to retain the power of issuing a warrant in the first instance?—Then you do not provide for the cases where a warrant would be absolutely necessary; you exclude the cases where the man may abscond, and the ends of justice be defeated for want of power on the part of the magistrates to apprehend by warrant.

2467. Would there be any difficulty in following a man who had absconded?—There would; I had a case where I was obliged to send a police officer into Lincolnshire after a man who had absconded. A summons having no effect, I had to send a warrant into Lincolnshire after him. In that case a warrant in the first instance would have brought the man at once.

2468. Where a man absconds, does he give notice that he is going to abscond?—No, certainly not.

2469. Therefore he has absconded before you issue a warrant for his apprehension?—That depends upon the vigilance of the police; the man may elude the vigilance of the police in both the case of the warrant and the case of the summons.

2470. Take the case of a man in your own works, if he intended to abscond he would not let that be known?—There might be cases where he would elude the vigilance of the police.

2471. It is not a case of eluding the vigilance of the police; the police do not know anything about it; he eludes the vigilance of the police after he has absconded?—If a man leaves his work under aggravated circumstances, the facts are very soon known, and the police are very soon upon his footsteps.

2472. By means of the telegraph and railways now-a-days, the facilities of apprehending men who have absconded are much greater than they were, are they not?—No doubt; but however great they may be I do not think that they afford sufficient grounds for taking away the power on the part of the magistrates to issue a warrant in cases which, in their discretion, require a warrant. I would leave it to the good sense of the magistrates to exercise that power or not as they thought fit.

2473. At present are warrants issued upon oath?—Yes.

2474. Upon good grounds being given for the issue of the warrant?—Yes.

2475. That you would still require?—Yes.

2476. In cases where a warrant was issued, would you require any further steps to be taken on the part of the prosecutor to obtain that warrant than are now taken by him?—No; I would leave it as it is. I do not think it worth while to complicate the law in matters of that sort.

2477. In what light would you regard the fines that might be imposed, as merely punitive or in the light of damages to the employer?—I would leave

leave it pretty much to the magistrate. In aggravated cases I would leave the magistrates to impose a heavy fine, and in trifling cases a small fine, more in the nature of a warning than as a punishment.

2478. What would you do with the money so paid?—I would leave it as now.

2479. You would let it go to the employer?—I would let it go to the employer in mitigation of his damages to a certain extent. Of course, no fine that might be imposed would compensate an employer for many breaches of contract, nor do they consider that they can obtain compensation in the way of fine, except to a small extent; but it has a salutary effect on the workmen.

2480. You do not think that, with the exception of the legal expenses incurred, any surplus arising from the fines so imposed should go to some other purpose than to compensate the employer?—I would leave it as it is at present.

2481. You would leave it to the discretion of the magistrates and the employer?—Yes.

2482. What is the custom now?—I can hardly tell you.

2483. The fines under the Mines Inspection Act do not go to the employers, do they?—No, they are distributed at the option of the magistrates.

2484. They do not go as compensation?—No, they do not.

2485. Do you see any reason why, under the law of Master and Servant, there should be an exceptional dealing with fines?—At present the magistrate has power to abate the wages and compensate the master in that way. I would leave it to the magistrate to dispose of the fines as he thought fit, either for a public purpose or in part compensation for the damage the master might have sustained.

2486. You say that the fines would be paid by the unions?—They would; they are now paid by the unions. I have had cases in which the men have told me themselves, "We do not care about your fining us; the union will pay the fine."

2487. That is inevitable as long as there are unions?—Yes; unless fines were, at the option of the magistrates, made more formidable than they are.

2488. What limit would you think there should be to the fines which might be imposed?—I have no opinion upon that point.

2489. Do you consider that the knowledge of the fact that fines are paid by the Trades Unions would lead the magistrates, in lieu of imposing fines, to order imprisonment, supposing the option were given them?—The magistrates are not disposed to recognise the unions; we know it is a fact, but it is not publicly given out, that the unions pay the fines.

2490. The magistrates, provided the fines were paid, could have nothing to say to the quarter from whence the money came?—No, I think not. Unless the magistrates had the unions before them in some judicial shape, I do not think they would recognise the fact of the unions paying the fines as an element in their decisions.

2491. Are you aware that in most cases now fines are given to workmen's benefit clubs, infirmaries, and other charitable objects?—Yes; I believe they are in many cases.

2492. Mr. *Algernon Egerton.*] I believe in the present state of the law, the defendant or prisoner who is brought up under the Master and Servant Act cannot be examined himself?—I believe not.

2493. Should you advise any alteration in the law in that respect?—I should not object to it. I should not object to the power of the magistrates being enlarged to any extent in that respect. I would let them get any information from any quarter. If they received evidence from a quarter immediately interested, I would let them receive it with a certain amount of caution; in other respects, I would have no objection to the admission of evidence in any shape.

2494. You would let it be taken *quantum valeat*?—Yes.

2495. It has also been suggested that in cases of breach of contract, the magistrate should have the power to make the defendant give bail to perform his contract; would you be in favour of such an alteration in the law as that?—As the law at present stands, you may fine a man or imprison a man for breach of contract, and when he has paid the fine, or comes out of prison, if he does not perform his contract, you have the power to fine him or imprison him again. I must confess that a man having been once punished, it is a hardship that he should be punished again for the same offence; and there would be, I think, no harm in modifying the law, so as to meet the ends of justice more fairly.

2496. What is the usual period of contract in South Staffordshire?—Fourteen days, unless any special arrangement is made for a longer period, which is not common.

2497. Are there cases of monthly contracts?—They are not common; there are a few cases where the contracts are monthly, where the men are in posts that involve a little more care or responsibility, or where it would be more difficult to supply their place on an emergency; but, generally speaking, they are fortnightly contracts, subject to a fortnight's notice on either side.

2498. I have been informed that at a bleach works in Lancashire the men enter into yearly contracts, and, in some cases, for three years. In such cases as that, if the men entered into those contracts willingly, it might be argued, might it not, that it would be unfair to the masters not to give them the power to enforce the performance of those contracts?—When you come to those long periods of contract the matter assumes more the nature of a civil contract; it is more a subject of an action for damages than anything else. We have no such contracts in the coal and iron trade, and therefore I have not considered them much.

2499. Mr. *Fawcett.*] Those cases of breach of contract often involve, do they not, very complicated questions, both of law and evidence?—They do occasionally, but not commonly. Suppose I engage an iron worker or a collier to work at certain prices, and subject to 14 days' notice on the part of either master or man; if I discharge him I must give him 14 days' notice, and if he wishes to leave his service he must give me 14 days' notice. If he breaks his contract, and the case is brought before the magistrates, the contract is proved, and the magistrates then adjudicate upon the matter with what evidence may happen to be before them. I do not think it is common that the evidence is very complicated.

2500. Do you think that the magistrates have a sufficient legal education to be a good tribunal for the trial of such cases?—Yes, I do; but though I do not preach up the legal knowledge or the legal acumen of the justices, generally speaking,

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speaking, I believe they have good and experienced advisers, in the shape of their clerks, to confer with them; and they have, if not an accurate knowledge of the law, at all events, a sufficient knowledge to enable them to do fair justice between man and man.

2501. Do not you think that there must necessarily be in a Bench, composed entirely of employers, however fair they might wish to be, some inevitable sympathy towards employers of labour who brought cases before them?—I do not mean to preach up the infallibility of human nature; but, I think, in ordinary cases, there is very little to be charged upon the magistrates for acting with injustice, or unfairness, or bias, in matters of this sort.

2502. What was the breach of contract which the man committed in the case to which you referred, where you had to send a warrant after him?—I think it was leaving the steam-engine, and doing some malicious damage to it; putting a piece of iron in the cog wheels, by which they were broken.

2503. Do cases occur in your neighbourhood of men bringing actions against masters for breach of contract on their part?—Very frequently; they proceed by summons.

2504. Do you see any objection to the law being made the same with regard to masters as with regard to men; that is to say, that the magistrates should have the power of inflicting imprisonment upon a master in an aggravated case of breach of contract?—The two cases are not similar. In the case of a breach of contract on the part of the master, the loss is to the individual alone; whereas, in the case of a breach of contract, where a man leaves his employer, he occasions not only injury to the master, but a large amount of loss to his fellow-workmen; the injury in that case is far more extensive than can possibly arise if the master breaks his contract with the workman.

2505. Cannot you conceive a case of wilful neglect on the part of a master with regard to want of ventilation, for instance, producing quite as serious consequences to the workmen as any breach of contract on the part of the men?—No; I do not think it is possible to produce such a case.

2506. Supposing it were represented to the master that he was not ventilating his mine properly, and he took no notice of the representation?—There are special provisions to meet cases of that sort under the Mines Inspection Act.

2507. You cannot imprison the master, can you?—No.

2508. Why should not such a case as that be met by imprisonment, if you meet an aggravated case of breach of contract on the part of the workman by imprisonment?—Because I do not believe that any master in England would be such a fool as to cut his own throat, which he would be doing by acting as the question implies.

2509. Such a case, you say, is provided for under the Mines Inspection Act; such a case as that is treated by a fine?—Yes; but in the case of a complaint on the part of the mines inspector, that the mine is not sufficiently ventilated, it does not arise from a vicious desire on the part of the master to under ventilate, but from an impression that the mine is sufficiently ventilated, though the inspector may differ with him; surely you would not imprison the master under those circumstances. No master would be such a fool as to do himself serious injury, and his workmen serious injury, except under misapprehension; and to visit him with imprisonment would, in my opinion, be a very hard case indeed.

2510. Why should you assume that a workman would do injury to his fellow-workman?—I am supposing a case of vicious malice.

2511. You suppose that there may be vicious malice on the part of a workman, but that there cannot be vicious malice on the part of a master?—If you could convict a master of vicious malice, I would treat him in the same way as a workman; I would send him to prison.

2512. I do not say the case ever occurs, but under the present law, supposing you could prove a case of vicious malice on the part of a master, you would have no power of imprisoning him?—No; I would have no objection to alter the law in that respect, because if I did not send him to prison for being a knave, I would send him to prison for being a fool.

2513. You think it would be advisable to change the law in that direction, so as to remove the sense of injustice which at present exists on the part of the workmen, even if no cases were to come under it?—I cannot conceive of a case between master and man that would bring the master under the punishment of imprisonment, and to legislate upon an exceptional and very strongly drawn case, would be a sort of legislation that certainly would not be palatable in this country: legislate upon a rule, but do not legislate upon an exception.

2514. Mr. *M'Lagan.*] We have had it in evidence before us, that in Scotland minute or day contracts prevail very much?—So I have understood; I cannot offer the Committee any evidence upon that point, because, as far as I am aware, there are no such contracts in England; a day contract means no contract at all, in fact.

2515. Do you approve of monthly or fortnightly contracts?—As a matter of convenience, I should say fortnightly contracts are the most convenient, but I would leave that to the discretion of master and man. We find in practice it is most convenient to have fortnightly contracts.

2516. Do you find that the men stay longer under fortnightly contracts or under monthly contracts?—I have had men stay under fortnightly contracts for 30 years together.

2517. It has been stated to us that where minute contracts have been introduced, the men stay very much longer in their employments than under fortnightly or monthly contracts?—Under fortnightly contracts a convenient time is allowed for the men to seek other employment, and a convenient time is allowed to the master to seek other men; a fortnight is by far the most convenient description of contract that could be devised.

2518. Did you say that the only cases in which you have issued warrants against workmen were cases in which there were sufficient grounds for suspecting that they intended to abscond?—Yes. I think you might safely leave the option to the discretion of the magistrate; if a summons would be likely to fail let him have the power to issue a warrant; but if it were not a case where a summons would be likely to fail, let him issue a summons in the first instance.

2519. If he failed to pay the fine you would send him to prison?—If he did not pay the fine he

he would be subject to the common law; master and servant would be treated alike in that case. If he had no goods wherewith to pay, in either case, he would have to be sent to prison.

2520. Supposing the man's goods were not sufficient to pay the fine, would you approve of taking it from his wages?—I would get the fine in any way I could.

2521. Supposing the man left his employment and went out of the district, would you approve of following his wages?—No, I am not an advocate for the following of a man's wages. There are plenty of means of obtaining justice without that. What I understand by following wages is this, giving notice to a new employer to stop that man's wages on your behalf. If I received a notice from a previous employer to stop a man's wages I would not stop them. I would be no party to a quarrel between the previous employer of that man and the man himself.

2522. You think, for all parties, imprisonment would be better?—I think it would.

2523. Earl *Grosvenor.*] I understand you to say that neglect on the part of a master would not be likely to occur, because it would affect his own interest?—Yes.

2524. Did you ever hear of such an exceptional case as a master neglecting his own interest and causing damage?—No.

2525. Might not a master, while in a state of drunkenness, give extraordinary orders which might cause damage?—I must confess that I call drunkenness a sort of madness, and I am not prepared to give an opinion upon legislating for madmen.

2526. Mr. *Potter.*] Would not the common law be sufficient to meet a case of that kind?—I think so; I do not think that in legislating you can take cognizance of such exceptional cases as those.

2527. In the case of any serious damage, such as loss of life arising from neglect of the master, he is liable to be indicted for manslaughter?—No doubt; he is open to a great many modes of punishment.

2528. *Chairman.*] I understand you to say that you do not approve of the system of arresting wages?—I do not; I think it is a complication, and an unfair complication of the relations between master and man, which had better not be imported into them.

2529. At present there is a power under the Master and Servant Act of remitting a man to prison till he has consented to complete his contract; do you think that is a power which it is desirable to retain or not?—That power not only exists in cases of breaches of contract, but in other cases, bastardy, for instance; I have sent a man three times to prison because he would not pay the woman. Whether the power is retained in those cases or not, I would not retain it in civil offences like these.

2530. At present the law admits of that being done; it admits of a man who refuses to complete a fortnightly contract or a month's contract being re-imprisoned for any length of time till he completes it?—Yes; I must confess I am not an advocate for that.

2531. You think a change in that respect might be advantageously made?—Yes.

2532. You would give him but one imprisonment as a punishment?—Yes.

2533. And you would then let him be free?—I would.

Mr. Alfred Mault, called in; and Examined.

2534. *Chairman.*] You appear on the part of the builders of Birmingham?—I appear on the part of an association that is called the General Builders' Association, which includes not only the master builders of the Midland Counties, but the master builders of the Northern and Western Counties, and some of the larger towns in Scotland also.

2535. Is that an association recently formed?—It has been only recently formed; in fact it is now in process of formation to a certain extent. The formation has extended to the extent I have mentioned, viz., some of the principal towns in Scotland, and the whole of the Northern and North-western, and Western, and Midland Counties of England.

2536. Where did it originate?—It originated with about a dozen towns in the Midland Counties.

2537. When?—About 18 months ago.

2538. What led to its formation?—In the first place it was originated for the purpose of protecting the masters from the action of the trades' unions; but in the course of a few months that special idea was given up, and the association was formed for the purpose of considering matters of general interest to master builders, and the question of the action of the trades' unions is now simply an incidental one, whenever any action arises on the part of those unions.

2539. It is for considering generally questions affecting the masters in their trade?—Yes. Of course the labour question is one of the most important; but hitherto we have not treated it as the most important; our attention has been rather directed to the law of contract between master builder and proprietor than to the law of contract between master and man.

2540. Is it an association that is extending its operations?—It is every day extending its operations.

2541. Other districts are coming in?—Yes.

2542. Is it extending to the metropolis?—We are in communication with a similar association in the metropolis.

2543. Which is formed now in the metropolis?—Yes, but which is confined solely to London.

2544. Are you about to form a union with that association?—I cannot say; we have not had any intercourse with that view.

2545. Are you yourself a master builder, and employer of labour?—I was a master builder up to the time of what I may call the second formation of this association upon its broader basis, and I was induced to give up my own business to take the management and direction of this association.

2546. You are now the secretary of this association?—Yes.

2547. Has there been any meeting of the association or of the representatives of the association, with reference to the subject before this Committee?—Not any special meeting in reference to this subject, because we have really not had time to consider it. The quarterly meeting was called to-day at Liverpool for this among other

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other purposes, and, as you are aware, I requested an extension of time before appearing here; but I was informed that this was the last day upon which evidence would be taken; therefore, though I understand fully the views of the association upon the matter, I must speak, of course, rather from my general knowledge of the building trade and its requirements, than as a representative of that association.

2548. You say that there is to be a meeting held to-day at Liverpool, upon the subject of the law of masters and servants?—Partly to consider that subject.

2549. Not exclusively?—No, it is a general quarterly meeting of the association.

2550. Has the attention of the association and yourself only during the last week been directed to this subject?—More especially during the last week, but, of course, we have, from time to time, thought the matter over; and knowing that the Committee was sitting, I was anxious that even an individual master builder should be heard upon the subject, rather than that you should have no evidence whatever in relation to the building trade upon the side of the masters, because I hold that the circumstances of our trade are, to a great extent, special circumstances.

2551. Were you not aware that the Committee has been sitting some time?—I was not aware that the Committee was sitting till I saw a casual notice of it in the "Beehive" newspaper; I was not aware of it till that time.

2552. It is owing to that that action has been taken thus late on the part of the Builders' Association; and your appearing here does not arise from any peculiar circumstances that have arisen in the trade?—That is so.

2553. Your attention, previously to the sitting of this Committee, has been, as you say, directed to the Master and Servants Acts?—Yes.

2554. Is there any special point which you wish to bring before the Committee in relation to those Acts?—In the first place, the penalty imposed by the present Acts is not so great an object as the process by which that penalty is to be arrived at; our great object is to secure as summary a process as possible. And having heard that evidence had been given before this Committee to the effect that on certain grounds it would be advisable to alter the law so as to make the contract between master and man of such a nature as to be enforceable only by civil process, I wish to state, that I consider that such a process would be totally useless to us in our particular circumstances; we are not situated as any other manufacturers or employers of labour are situated, on this account, that we do not in one particular spot manufacture goods or raise materials that can be used or sent anywhere; but we manufacture real property, which is obliged to be made on the very spot at which it is required. We have, therefore, continually to shift our staff of labourers, or to get labourers on the very spot where we want them; and directly we have done with them on that spot, the labourers go elsewhere; consequently our operatives are far more nomadic than any other class of operatives whatever. Unless the contract between us is a contract which can be enforced by summary process, we cannot enforce the contract at all. Our men, and especially a certain class of them, are continually shifting from place to place as their work requires; they have no local habitation, except temporarily. We cannot take the same security, so to speak, from them that other masters can take from their men, because other masters having fixed trades upon one spot, naturally employ men who are equally fixed to the spot. The men have a house and goods and chattels on the spot, and the master knows where to find them. If the system were adopted which was advocated by the last witness, viz., the magistrate being left no option but that of inflicting a fine, in his case those fines could be pretty readily levied, but in our case they never could be levied. We are in the habit, in cases of breach of contract, as the last witness informed the Committee was done in his case, of almost invariably proceeding by summons; in fact, I may say, invariably proceeding by summons. And even now, under that system, we find that those summonses are continually evaded. Where the case is of sufficient importance, the summons has to be supplemented by a warrant, because the men are, as I have just explained, always ready to go to any place; there is no packing up to be done; the man picks up his tools and goes away, and you do not know where to find him. We have really no means of knowing where a man has gone to, and consequently, before the summons is returnable, the man is away no one knows where.

2555. That is what you find to be the case now?—Yes.

2556. But if that is the case, why do you issue a summons and not a warrant?—I suppose that it is as much a matter of sentiment as anything else; we do not like to commence with a warrant in any case, nor do the magistrates like it. We can always get a summons, but we cannot always get a warrant.

2557. What is the period of your contracts?—Lately the contracts have been lengthening; but operatives in the building trade have somehow a great objection to any lengthened contracts, and we had the greatest difficulty in getting even a contract for a day. Lately we have introduced a month, and we find that under the monthly contracts we get on a great deal better than under the daily ones; but those monthly contracts are adopted to a very limited extent; only in one or two towns.

2558. You say that the contracts have been lengthening, and that you have now a few monthly contracts; what was the rule before that?—Usually either by the job or by the day, or quarter of a day, or even without notice whatever in many cases.

2559. So that practically, in the building trade, they are either day notices or no notices at all?—Yes, practically that has been the case hitherto.

2560. If that is the case, I presume that there are not many cases of prosecutions under the Act?—Latterly a great many more cases have occurred; in fact, this year a great many more cases have occurred than ever occurred before.

2561. Why is that?—Because we have introduced longer contracts, and because we have paid more attention to the subject. There has been, till recently, the greatest ignorance prevailing among builders as to the provisions of the law; they had no idea, or if they had any idea, they never acted upon it, that a man could be followed who had broken through a contract even on a matter of piece work, much less on a matter of time.

2562. You attribute this increased number of

cases

cases to the fact that there are some contracts of a month's duration instead of short periods, and also to the fact, that by some means or other the attention of the masters has been directed to the Act, and the powers which they have under that Act?—Yes, partly to the one and partly to the other.

2563. Do you apply that to the whole country or merely to the district of your association?—Primarily to the district of our association, but from my knowledge of the whole country, I believe that it is true of the whole country also.

2564. Has the attention of the masters been drawn by yourself to the Act?—I dare say that I have had a hand in drawing attention to it; but more attention has, from some means or other, lately been called to this subject than previously was the case.

2565. What number of prosecutions has there been within the last year under the Act on the part of the builders?—I am aware, I should think, of about a dozen.

2566. What per centage would that be; what number of men are there in the building trade in the districts where those dozen cases have been prosecuted?—I really cannot say, but it would be a larger per centage than one would suppose.

2567. Would you say 1 per 1,000?—A great deal more, because those prosecutions have been undertaken under these circumstances. Strikes have existed in certain localities, and consequently but few men have been at work; two or three prosecutions would therefore involve a large per centage of them. The prosecutions have really been undertaken quite as much for the protection of the men as for the protection of the masters. For instance, the bricklayers in the Potteries are at present on strike, and the masters in the Potteries having been obliged to go elsewhere for a supply of labourers, have entered into contracts with bricklayers whom they have introduced from other parts. The Bricklayers' Trades Union in the Potteries district has induced those men either by threats or by other means to break their contract, and though the men themselves were anxious to fulfil it, yet, under the coercion of the trades union of the district, they were obliged to go to Burton-on-Trent. When they got there they telegraphed to their late employers asking for protection, and offering to complete their contracts. The masters had in the meantime taken out warrants, and found out the men in Burton-on-Trent and brought them back. When taken before the magistrates, of course the masters did not require any penalty whatever, seeing that the men were willing to complete their contracts; and the men are at present at work partly under the protection of the police, but subject to continual annoyance. Unless those men had themselves been willing to fulfil their contract, and unless the masters had had the power of taking out warrants, the expense which the masters had been put to to get those men from other localities would have been thrown away, and the masters would have been without a remedy.

2568. You say that the men who were brought up by warrant were anxious themselves to complete their contract?—They were anxious to complete their contract.

2569. If the men were themselves willing to complete their contract, would they not have come equally to a summons?—In that particular case they would, but it was an exceptional case that they wanted to complete their contract. The usual case is, when a man has been induced to break his contract, and goes away, that he does not desire to come back.

2570. How many men were brought up under warrant in this instance?—I think eight.

2571. Are those eight included in those 12 cases that you referred to?—Yes, as one of the cases.

2572. It was 12 cases and not 12 men, that you referred to?—Yes.

2573. Each of those cases embraced several men?—One or two others embraced several men; but in no other case so many as in that;—usually a single man.

2574. In this case you say eight men were brought up under a warrant; in the remaining 11 cases were the men brought up under warrant or summons?—I do not think that in any of the other cases the men have been taken at all. A summons has been issued and served, and directly upon the service of the summons, the men have made off, and have not been apprehended. In some cases they have not even been followed.

2575. In all the other cases summonses were issued, and in this case of the eight men if a summons had been issued, the men would have appeared?—In that case the men would have appeared.

2576. You say that as a rule summonses are issued, and you say that that arises from sentiment; do you think that that sentiment would support such a change in that rule as you think desirable, viz., issuing a warrant instead of a summons?—I do not say that I think it desirable. I confess, for my own part, that I am satisfied with the present law. When I came here, I was under an impression that the evidence which had been given, had been principally with a view to effect a change of the law, so as to make that which is now a criminal procedure a civil procedure. I believe that, as a body, we are quite content with the law as it is; the law is never put in force by builders, except in such exceptional cases as I have alluded to, where men are either drawn off or coerced off work, during the continuance of a strike. During ordinary peaceable times, the masters never have occasion to put the law, even in its present shape, into force, or never care about doing so.

2577. You say that you are satisfied, speaking on the part of the masters' association to which you belong, with the law as it at present stands; are you opposed to any change in that law?—I think that such a change as I have heard advocated since I have been in the room to-day would be perfectly useless in our trade, because, if a summons is of no effect without a warrant, in very few cases would it be worth while, after a conviction was got and a fine imposed, either in the absence or the presence of the man, to follow that man, one does not know where, for the recovery of the fine.

2578. He would have to pay the fine at once, you say, either in his presence or absence; if present, the magistrate having the option of inflicting a fine, he would have to pay the fine or go to prison?—No doubt, if the man were present; but, in many cases, under a mere summons, he would not be present; he would usually not be in our trade, because, as I have said before, the men have no such local ties in our trade as in other

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other trades. But, even supposing that the man was present, I believe, as the last witness said, that the fine under those circumstances would invariably be paid by the trades union to which the man belonged.

2579. That you could not help, but the fine would be paid?—The fine would be paid, undoubtedly; but the fine should be a penalty upon the man; the penalty would not fall upon the man, because it would be paid by the union.

2580. You are opposed to the magistrate having the option of fining or imprisoning?—Yes; I should prefer to retain the power of imprisonment to levying a fine.

2581. Though, practically, you say the building trade has gone on as it has without having recourse to this law at all?—Yes, but how has it gone on? No trade has gone on with so much dissatisfaction to the masters, and with so little profit, as the building trade of the country. There are more names twice a week in the "London Gazette" of men connected with the building trades, than with any other trades.

2582. To what do you attribute that?—It is owing to the action of the trades unions upon the labour question on the one side, and the very unsatisfactory terms of the contracts drawn up between proprietors and builders on the other hand.

2583. Do you think that the law of Master and Servant affects the unsatisfactory contracts that are drawn up between proprietors and builders?—No; but as you asked me a general question, I answered as generally; I pointed out the circumstances out of which the present unsatisfactory state of things in the building trade has arisen. I think, undoubtedly, the relations between master and servant have something to do with that unsatisfactory state.

2584. How does the law of Master and Servant affect the question of contract between proprietors and builders?—It does not affect that.

2585. What bearing has it upon the unsatisfactory state of the building trade?—I was referring to the bearing that the present relation between master and servant had upon the working of the law. At present, even with the law being so highly penal as it is described, we find that the operatives themselves have, among themselves, enacted laws which are just as highly penal, and to a certain extent directed against the observance of the public law, that they are illegally and continually enforcing these laws against each other, and against the masters. They impose fines upon each other, and they impose fines upon the masters; not fines for the breach of any trade union rules, but for opposition to their views upon the labour question. And I say that when the men in secret and irresponsible tribunals are carrying out such a law as that, it is not a time for relaxing the general law of Master and Servant.

2586. But you say that this state of things exists concurrently with the present law of Master and Servant; we may assume from that, may we not, that the law of Master and Servant is inoperative as regards preventing strikes, and as regards these laws which the men enact as against each other?—You will notice that I have not introduced strikes into this question. I think that the present law of Master and Servant, and I think that any law of Master and Servant that was a just law, would be inoperative to prevent strikes.

2587. You say that you did not introduce the question of strikes; are not those harsh laws to which you referred, which the men enact as against each other, connected with strikes?—They are apart from strikes; the men have trades unions, and some laws of those trades unions are not regulations of a union as a union; but they are expressions of their opinion upon the general question of labour; for instance, they impose fines for operatives doing piece-work, and they say that operatives shall only do their work by the day; and in some of the unions there are fines levied of 2 *l.* upon any man who takes any piece-work. I only give that as an example.

2588. That would not be affected, would it, by any change which might be made in the law of Master and Servant?—I do not say that it would, but I say that when the men themselves, in secret and irresponsible courts, are not only enacting and carrying out laws like these against each other, and also against the masters, it is not a time for the men on their side to complain that the public law of the land which is publicly administered is harsh, and to demand that it should be relaxed in their favour. The men themselves, in their trades' unions, are carrying out a law that is a far more penal law, as far as their circumstances permit (of course they cannot imprison), than the public law of the country. And not only that, but they administer it in a perfectly irresponsible way. The defendant, in their courts, has really no cognizance that the court is sitting; he is not summoned there, because often he is a master, and often he is a person not connected with the union; yet that court imposes punishment upon him, sometimes it is a fine, sometimes a condemnation to non-employment, what the men call "shelving." A man is sometimes shelved, that is, he is refused permission to obtain employment anywhere where union men can prevent it; and a master is shelved, that is, he is refused permission to employ any man over whom they have control. When the men are administering in such a manner, such a law as that, it is not a time for them to ask for any remission of the public law of the land on the master and servant question.

2589. Your argument amounts to this, that supposing it appears that a public law exists which is harsh, and unnecessarily harsh, it is not desirable to make an alteration in that public law, because in a certain business private laws are enacted by the workmen for regulating their concerns one with another which are also harsh and uncalled for?—No, I do not think that a very fair way of putting my argument. You must remember that, in the first place, I am speaking in relation to builders alone. I do not profess to enter into the general law of Master and Servant, but I say, taking the case of the building operatives, I presume that they are complaining of the present harshness of the law, and my answer to them is, that the law they are themselves administering is a far more harsh law. It is one which we cannot get at, and its administration cannot be modified by public opinion. And when they, as a peculiar class of men, are doing that, I say it is not a time for them to ask for any modification of a law similar to that which at present exists.

2590. That is as far as regards building operatives?—Yes.

2591. You are aware that this law applies to every

every description of servant, except household servants?—Yes.

2592. What proportion do the building operatives bear to the rest of the working population?—I should think that in this country, with the exception of agricultural labourers, the building trades employ more of the adult male population than any other trade.

2593. You are aware that this law applies to agricultural labourers as well?—Yes.

2594. They are a considerable element, are they not, in the working population of the country?—Yes.

2595. Do you think that the proportion which the operatives in the building trade bear to the rest of the employed population in the kingdom is a twentieth?—Very considerably more.

2596. Upon what do you rest that statement?—Upon the last Census Returns.

2597. Can you state what the last Census gave as the number of building operatives?—I can, to a certain extent, but I must explain to the Committee that, under the heading, "Labourers," in the Census Returns, there is a certain number put down whom we cannot identify as labourers connected with the building trades, though we feel certain from other circumstances that the greater part of these labourers must belong to them. And at the same time there are other headings embracing men who are employed in the building trades that we cannot separate from men employed in other similar trades; but I have no doubt that in England and Wales alone over 800,000 males were employed in connection with the building trades in 1861, that is to say, 800,000 men and apprentices.

2598. Mr. Alderman *Salomons.*] What trades do you include?—The carpenters and joiners numbered, I think, 177,000; the bricklayers numbered, I believe, 88,000; the masons numbered 75,000; I cannot trust my memory with respect to the others; it is to be borne in mind that each mason and each bricklayer must have a labourer

2599. *Chairman.*] In short, you think the builders would be about a sixth or seventh of the whole population?—A sixth or seventh.

2600. That leaves other six parts to be accounted for, assuming it to be a seventh; you object to a change in the law in consequence of what is is going on on the part of a seventh of the population, the law affecting, more or less, the remaining six-sevenths?—It is hardly so, though it is so, in one sense; I come here and occupy an *ex parte* position, having to express the views of the trade to which I belong. I am not so unreasonable as to expect that, because we are situated in certain peculiar circumstances in relation to a seventh part, or a sixth part, or even a quarter of the population, that the law should remain in its present condition in order to suit our circumstances.

2601. You are not prepared, in consequence of the peculiar circumstances attending the labourers in your trade, to object to a change in the law which might be considered desirable as regarded other trades?—In coming to give the Committee the views of the master builders upon this question, I thought that the circumstances that were connected with our trade might, to a certain extent, be also connected with other trades; I know there are trades unions connected with almost all the large manufacturing industries of the day, and what is true of our trade, I should think must, to a certain extent, be true of other trades; if not, undoubtedly I am not prepared to say that it would be either just or wise, that, because, in one particular branch certain anomalies existed, the whole operatives of the country should remain under any particular system.

2602. Assuming that in the cases of other trades such objections as you have raised to a change in the law have not been raised, would you think it desirable or necessary that any exception, in any change in the law, should be made as regards your special business?—I confess, whatever my own notion of the abstract right of such a proposition might be, I would never suggest it.

2603. You do not think that it should be a case of exceptional legislation?—I do not think so, because I should hope that our circumstances might be reached by certain general legislation in another direction.

2604. With respect to the jurisdiction of the magistrates, do you consider that tribunal to be a right and proper one?—I think it right, simply because it is the readiest.

2605. And you wish these questions to be dealt with as speedily as possible?—Yes, as speedily as possible.

2606. I understand you to say that you object to giving the magistrates the option of inflicting a fine instead of imprisonment?—I do not think that a fine would at all meet the case, because it would not be paid by the delinquent; besides I do not think it could be levied in the majority of cases.

2607. Mr. *Fawcett.*] I understand you to say, that you are quite satisfied with the law of Master and Servant as it now stands?—I cannot say that I am. I do not know that I have expressed such a view as that. What I meant to convey to the Committee was, that we are extremely anxious that whatever the law may be, it should be very summary in its process.

2608. You having considered these questions, are you or not satisfied with the law as it now stands?—I am satisfied with it as far as it goes, as far as I understand it.

2609. Have you any alterations to suggest in the present law?—I have none that I could put in a practical shape. I have thought that it would be very desirable that in trade cases the magistrate, whether a stipendiary magistrate or ordinary magistrate, should be assisted by assessors, say one master and one operative in the special branch with which the case is connected, but I am afraid that that would be a very cumbrous machinery.

2610. That would be an alteration in the mode of administering the law rather than in the law itself?—Yes.

2611. But in the law itself you have no alteration to suggest?—No.

2612. You said, did you not, that the great losses arising in the building trade, and the low rate of profit prevailing were due, to a certain extent, to the unsatisfactory contracts between proprietors and builders?—I gave that as one of the reasons.

2613. Is that as important as the others?—I think quite as important.

2614. With those contracts the workmen have nothing to do?—No, not as a general rule. I know there are certain localities in which the

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trades unions are strong enough to say that they must approve of them.

2615. But, as a general law, the workmen have nothing to do with them?—No.

2616. You spoke about those very harsh laws which the men themselves make; you say that there are 800,000 building operatives; I suppose the whole of those 800,000 do not submit to those laws?—No, they do not.

2617. What proportion do you think submit to them; would you say 100,000?—Considerably more than that submit to them.

2618. And approve of them?—And approve of them; I should say, that out of the 800,000, not above 130,000 or 140,000 belong to trades unions; in the case of the masons about one-fifth belong to unions; in other trades the proportion would be rather smaller. But the union men are the noisiest and most influential, and consequently control a large proportion of the non-union men.

2619. Mr. *M'Lagan.*] I think you stated that the only alteration you would suggest would be that you would have assessors appointed to assist the magistrates?—I think that some alteration in that direction, if it could be practically made, would work well.

2620. Are you aware that these cases come before the Justices of the Peace?—Yes, or the stipendiary magistrates in places where there are stipendiary magistrates; they come before the ordinary Court of Petty Sessions.

2621. Do you approve of the Justices of Peace Court, as the proper tribunal for the trial of such cases?—Yes.

2622. In preference to a stipendiary magistrate?—No; but the stipendiary magistrate usually sits in the same court as the Justices of the Peace, and the Justices of the Peace either assist him or sit on alternate days in the very same court.

2623. Have you equal confidence in the two classes of magistrates?—No, I cannot say that I have. It stands to reason that a man who has received the judicial training which a stipendiary magistrate ought to have received should be more qualified to weigh evidence.

2624. You would not recommend that these cases should be tried only before a stipendiary magistrate?—I do not suppose that it would be really practicable; I should recommend it if it were practicable, not simply in relation to master and servant, but everything. I do not suppose that it is practicable to appoint a stipendiary magistrate in every little country town in the kingdom. Our cases arise in all manner of places.

2625. They come before the county courts, do they not?—Very seldom.

2626. They might come before the county courts?—Yes, except that the action of the county court is hardly quick enough.

2627. They do not sit frequently enough?—No.

2628. Mr. Alderman *Salomons.*] Why cannot the magistrate decide those cases without an assessor?—I think I said, in the first place, I thought that if such an arrangement as the appointment of assessors could be made, it might be desirable. I had not an opportunity of saying why I thought so. My idea is, that the principal use of those assessors would not be so much to assist the magistrate, whoever he might be, in the discharge of his judicial function, as to act as a kind of court of conciliation between master and man.

2629. Is not the case of a man who has broken his contract really a matter of the most simple nature, that almost anyone of ordinary common sense, without a knowledge of law, could decide fairly?—Yes, to a certain extent, it is a very simple thing, so I am quite content with the law as it at present stands, but when I made the suggestion with respect to assessors, I said that I had not really given the matter much consideration. I had thought that the appointment of trade assessors might assist the administration of justice in technical matters.

2630. One can well understand that in any complicated question of law a magistrate might be advantageously assisted by a legal assessor, as he is assisted at present by his clerk, but would not an ordinary justice of the peace be as competent as anyone else to decide a question of breach of contract between master and man?—I quite agree with you. What I suggested was not so much in relation to the law of master and servant alone, as the general relations between master and servant, and questions involving technical details.

2631. To revert to the remedy to which you lean so much, viz. sending a man to prison without the option of a fine, do you think that you make him a better man by committing him to prison?—I do not think so.

2632. That is what you lean to?—I lean to that power rather than to the power of imposing a fine, as being in our case the only real penalty.

2633. Do you think that a law which left to the magistrate no option of inflicting a fine, but which, whenever a dispute arose between a master and a man, and the man left his employment, compelled the magistrate to send the man to prison with hard labour, could be an advantageous law, or one that would be desirable either for master or servant?—I do not think it is, putting it generally as you do.

2634. Do not you think that in ordinary cases where there was a mere breach of contract, the man should be fined for having broken his contract, and that where he had not only broken his contract, but inflicted some ascertainable wilful damage, he should then be imprisoned for that wilful damage?—Taking the question as broadly as you put it, I do think so.

2635. You think that it would be an improvement of the law to make a man fineable for merely having broken his contract, treating it as a civil matter, but that if he committed some real ascertainable wilful damage, he should be made to pay a penalty in money, or in person, by imprisonment?—Taking the question as broadly as you put it, I undoubtedly would say yes.

2636. You think it would be just to so far modify the law as to make a mere breach of contract, such as a man leaving his engagement, liable to fine; but that if by leaving his engagement he has wilfully inflicted an ascertainable damage upon his master, such as might occur by leaving horses unfed, or through leaving some work by which some great loss might fall upon him, he should be liable to pay the expense, or go to prison?—As a general principle, I think so, undoubtedly; that in every case where fines could be inflicted, fines would be far the better remedy for such breaches of contract as you have referred to.

2637. Do not you think that if you could so modify the law, it would make the man more obedient

obedient and more manageable by the master?—I should hope it would, and I really think it would.

2638. Mr. *Clive.*] What could you do in the event of the fine not being paid?—As I have already said, as far as the building operatives are concerned, fines would not meet the case. If fines were inflicted, they would not in one case out of a hundred be paid, and when paid would be paid by unions. So I hold that at present so far as the law as connected with building operatives and building masters is concerned, it is not desirable to change it.

2639. What would you have as the other alternative, assuming a fine to be inflicted and not paid?—There is no other alternative than the present punishment of imprisonment.

2640. Would you have that in the Debtors' Prison or at hard labour?—I confess that I have not much considered the subject; I think that where it is a simple case of breach of contract, not involving any other question, a fine would be quite sufficient to meet the case; and if the non-payment of the fine were followed by imprisonment, the nature of that imprisonment should be perfectly optional with the magistrate.

2641. He should have the power to inflict the punishment of hard labour if he thought the case demanded it?—Yes; but if the non-payment simply arose from inability to pay, I would look upon it as a debt.

2642. Would you authorise the magistrate to grant a warrant in the first instance, or would you require that a summons should be first issued.—I would give the magistrate the power to issue a warrant in the first instance.

2643. You would not be in favour of remitting the whole thing to the common law, making a mere matter of contract of it?—Not by any means.

APPENDIX.

LETTER from Mr. *J. E. Davis*, Stipendiary Magistrate, to the Chairman of the Committee.

Appendix.

Stoke-upon-Trent,
28 June 1866.

Dear Lord Elcho,

I AVAIL myself of your permission to write to you on the master and servant question, instead of attending before the Committee.

I will endeavour to deal with the points to which my attention has been called, with as much brevity as possible.

In the first place, as regards the nature of the tribunal for adjudicating on claims between employers and employed for breaches of contract, I think no substitute can be found for the jurisdiction of magistrates, stipendiary or otherwise.

The county court does not sit sufficiently often for this purpose. It is held in this district once a month at every principal town, except in September, when (under a power recently given) no court is held. So that, to say nothing of frequent adjournments of cases from one month to another, persons would be without the means of having their cases heard for many weeks together, instead of having the magistrate's court to resort to five days in every week throughout the year.

I may observe that no inference can or ought to be drawn that the Legislature treats cases of this kind as of a criminal nature, from the mere fact of giving magistrates cognizance over them. Questions as to rates and local taxation generally, disputes among registered societies of various kinds, breaches of bye-laws, and a great variety of matters of a civil nature, comprise a large part of the duties of a justice of the peace at the present day; so much so that I often wish some broad dividing line could be drawn between the civil and criminal branches of magisterial jurisdiction.

I now proceed to the important questions of the defects in the existing law.

I must be permitted, at the risk of repetition, to state concisely the present law in England in reference to the jurisdiction of magistrates.

Servants (except domestic) may summons their masters for wages (not exceeding 10 *l.* in case of servants in husbandry, and 5 *l.* in other cases), and the justices may order payment of the amount due, with or without costs. In case of non-payment, the amount may be levied by distress, and in case of no available distress, the master may be imprisoned for a period not exceeding three months. Where the master resides at a distance and employs agents, foremen or managers, the latter may be proceeded against instead of the master.

Servants may be summoned by their masters for absenting themselves from service, or for any other misconduct or misdemeanor in the execution of the contract of service, or otherwise respecting it.

In the case also of a servant having entered into a written signed contract, and not entering into service in accordance with its terms, he may be summoned.

If the offence be proved, the magistrate may adopt one of three courses. The servant may be committed to the house of correction for a reasonable time, not exceeding three months (and the wages, if any, to abate during imprisonment); or the whole or any part of his wages may be abated; or the magistrate may discharge the servant from his contract.

In order, however, to constitute the offence, it is not only necessary for the master to prove that the absenting was wrongful (*i. e.*, that the servant had no right to leave), but it must also appear that the act was a wilful or guilty act on the part of the servant. If, therefore, the servant acted *bonâ fide* under a fair and reasonable belief in his mind that he had a right to go away, he cannot be convicted, although that belief may have been unfounded in point of law, and the master has no remedy, except by action in a civil court, to recover damages, which is practically no remedy at all.

It is to be observed, that where a master complains against his servant, the magistrate has power to issue a warrant instead of a summons, upon a statement of the facts on oath, but I believe warrants are not generally issued, except where the defendant has absconded, or is likely to abscond, or where he does not appear to a summons.

It is a popular notion that the law in its present state is very unequal in giving magistrates the power to inflict imprisonment as a punishment in the case of servants, when there is no direct power to imprison masters; and it is further urged that, independently of the inequality, the law has made the mere breach of a contract the subject of proceedings which are in their nature criminal.

In reference, if not in answer to the first objection on the ground of inequality, it must be borne in mind that the servant has a right to an order for his wages, if due, although the master may have refused payment, honestly believing that he had a right to withhold them,—and in almost all cases of claims for wages, there is a *bonâ fide* dispute between the parties. Very few cases come before a magistrate where the master is knowingly and wilfully withholding the amount. As it would be manifestly unjust to give even the power to send a man, whether master or servant, to prison, in the case of a *bonâ fide* dispute, the law merely provides for enforcing payment of the amount adjudged to be due from a master to his servant, in the first instance by distress; and then, in default of distress, imprisonment may be awarded under the general powers of Jervis's Act, 11 & 12 Vict. c. 43.

In actual practice, therefore, servants have an advantage over their masters, in being able to get a magistrate's

a magistrate's order for payment of whatever may be due to them, no matter on what ground it has been withheld, while the master has no relief, unless the absence is wilful.

As to the other objection, that imprisonment should not be awarded for the breach of a contract, there are two modes of dealing with it, either of which takes away from the objectors all ground for speaking of the law in the strong terms sometimes made use of. In the first place there is a breach of contract, but there is something more when a workman wilfully leaves his work unfinished; there is something of a public wrong, considering how many persons, often fellow workmen in the same class of life, suffer from the sudden neglect of work. In the second place, imprisonment may be viewed as a mode of compelling the performance of contracts. The law of this country in a variety of cases allows imprisonment as the mode of compelling the performance of contracts and duties, quite apart from imprisonment for debt. In many instances the law no doubt considers the payment of damages as an equivalent for performance, but in other cases, where damages are not an equivalent, absolute performance is enforced. An agreement to sell an estate is a familiar illustration, where the laws of this country will require actual performance, and not allow the owner to keep it, and pay damages for the breach; and although in general, compensation may be substituted for the performance of personal engagements, there are cases where the doing of definite work will be enforced by the Court of Chancery on the pain of imprisonment. In some cases, damages might recompense a master for the breach of a contract by his servant, but the latter is seldom in a condition to pay damages, and therefore, in the absence of any other remedy, he might set his employer at defiance. Has not the master a just right to say, "Satisfy me either in damages, or by performance of your engagement. The former you cannot do, therefore the latter you must do, even on the pain of imprisonment for refusal"?

This branch of argument is however open to the observation, that in the instances referred to of enforcing performance of contracts by imprisonment, it is only in the shape of attachment for disobedience to the order of a court that imprisonment is inflicted, whereas in the case of neglect by a workman, imprisonment may now follow without an opportunity given to him to comply with the decision of the magistrate.

Whatever may be the view taken of the power of imprisonment, the present state of the law seems to be objectionable in some important respects. In a claim for wages, the master as well as the servant can be examined upon oath as to the facts, but on a complaint for neglect of work, the servant is not a competent witness. The distinction arises in consequence of proceedings to compel payment of wages being by way of "order," whereas the determination of the magistrate against a servant, is termed a "conviction," and by the existing general law of the country a defendant is a competent witness in the case of proceedings for an "order," but he is not a competent witness in the case of proceedings for a "conviction."

Another objection is the inability of the magistrate to deal with cases of complaints by masters against servants, by the infliction of a fine. At present it has been seen direct imprisonment, or abatement of wages, or discharge, are the three modes of dealing with these cases. Discharge, although at first sight a desirable course, is impracticable as a punishment (and, therefore, as a remedy) owing to the demand for labour in many branches of manufacture and the ability of men to get work elsewhere. In fact the neglect of work frequently arises from the desire to be discharged. Direct imprisonment is obviously undesirable until other methods have failed.

Abatement of wages works, in some branches of manufacture at least, better than might be expected, but in many cases it is not a desirable remedy. In the first place, it is open to the observation that as the effect of the order is to allow the master to stop wages, it is putting so much money in the master's pocket. It is only fair to state that in the Staffordshire Potteries the masters appropriate the sum abated, if it exceeds the fees of the court, to some public charity.

A second objection to the abatement of wages, makes the punishment depend on the return to work, and therefore holds out an inducement to the servant not to return but to go and work elsewhere, where his wages will not be subject to deduction or abatement.

The alterations I venture to suggest are as follows:

With respect to claims by masters against men, it seems desirable to get rid of the existing distinction between a mere wrongful breach and a wilful or guilty act. The distinction is seldom understood by masters or men, and not always by magistrates. As a necessary consequence of getting rid of this distinction, the power of direct imprisonment must cease for a first offence. The adjudication on a first complaint, if proved, should be either an order to return to work, with or without a fine, to a limited amount, and with or without costs. The fine or costs, or both, if ordered, to be enforced by imprisonment on failure to pay within a given time.

The disobedience of the order to return to work, or a second breach under the same contract, to be punishable by increased fine or by direct imprisonment for a limited time, in the discretion of the magistrate.

There is another mode of enforcing the performance of contracts which I should like to see introduced, as I am confident it would work well. I would give power to the magistrates, in cases where the defendant had not returned to his work at the time of the hearing of the summons, to call upon him to enter into a recognizance, with or without sureties, in a limited amount, for the future performance of the contract, and I would confer the same power in all cases of a second complaint or for disobeying an order of the court. The recognizance in any case to be either in addition to or in substitution for a fine.

I think I should even go so far as to provide that on finding a surety for the performance of a contract, any direct imprisonment should cease, just as in the case of parties imprisoned for want of sureties to keep the peace or to be of good behaviour.

For want of a power of this kind I have on many occasions availed myself of the power of adjourning cases for a fortnight or a month, on the defendant entering into a recognizance with a surety for his appearance, with the understanding that if he returned and continued his work nothing more would be heard of the case, and I have found this course to be attended with beneficial results. A direct power of the kind I have indicated would be, I am convinced, of the greatest advantage to all parties.

Appendix.

With reference to minor points, I may add that wages should not accrue due during any imprisonment under the order of the magistrates, but any order not to affect the continuance of the contract.

The process for a first offence should be a summons; for a second offence, a summons or warrant, at the discretion of the magistrates.

An order or dismissal to be in lieu to any proceedings in another court.

The servant in all cases to be a competent witness.

In order to avoid numerous disputes that would otherwise be multiplied in consequence of the increased scope of the inquiry, it may be desirable, at least, in the case of some trades, to confine the jurisdiction of the magistrates, so far as relates to complaints by masters, to cases where there is a written contract or printed rules, and where the defendant has had a copy given to him either at the time of entering into it, or before the breach complained of.

This would not interfere with the right of persons to make verbal agreements, but in those cases the masters would be left to their civil remedy for damages in the county court.

The present jurisdiction in claims for wages by servants against masters, may be returned, abolishing, however, any distinction between the amount of wages over which jurisdiction is given. A general limit of 10 *l.* might be imposed, and a power, perhaps, given to impose a fine on the masters, in addition to the wages, if the magistrates thought in any case the wages were withheld without any fair or reasonable ground of dispute. Such fines to be applied as other fines, and not to go to the complainant. Costs to be as at present, in the discretion of the magistrates, and the amounts enforceable by imprisonment.

In order to prevent dissatisfaction on the part of men as to the tribunal, rather than to guard against any real ground for that dissatisfaction, it may be desirable to make the employment by a magistrate of workmen in similar branches of manufacture, a disqualification for hearing disputes.

I have, &c.
(signed) *J. E. Davis*,
Stipendiary Magistrate.

I N D E X.

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Equality of Treatment. Concurrence in the view that the workman should be placed on an equality with the master, by being made liable only to civil consequences for breach of contract, *Newton* 8-10. 15. 46-53. 62-68; *Dronfield* 796-798; *Normansell* 947; *Williams* 1093, 1094. 1115; *Roberts* 1647 *et seq.*; 2218-2232; *Odger* 1914——Chief object of the present movement to place the workman on an equality with his employer as regards breaches of contract of service, *Newton* 8-10; 130. 197-200; *Campbell* 314——Equality of punishment by the infliction of a fine upon the workman, as upon the master; question hereon in the event of the workman not being able to pay the fine, *Newton* 69, 70. 116-121. 203, 204; *Odger* 1938-1943——Expediency of misdemeanours under the Act being equally applicable to masters as to men, criminal punishment being, however, undesirable in either case, save for very exceptional breaches of contract, *Odger* 1930-1938. 2008-2019——Approval of imprisonment for both master and man for non-payment of fines, *Burns* 2352. 2359. 2370, 2371; *Mathews* 2519.

See also *Civil Offence. Criminal Offence. Fines. Imprisonment. Inequality and Hardship. Procedure.*

Evans, William. (Analysis of his Evidence.)—Is editor of the "Potteries Examiner;" was formerly a working potter, 1351-1356—— Long-continued strike and serious distress in the potteries district in 1836 and 1837, on account of the badness of the written contracts and the system called "good from oven," 1357-1368——Particulars relative to the system of "good from oven," and its harsh operation upon the working potters, 1358-1366——Frequent instances of prosecution of potters under the Acts 6 Geo. 3, and 4 Geo. 4; details of some of these cases, showing the great hardship of the present law, 1367 *et seq.*

Unsatisfactory working of the system of annual agreements or contracts in the pottery trade; advantage if the contracts were monthly, 1369-1377. 1382, 1383. 1404-1410——Increasing number of prosecutions for breach of contract, 1374——Trial of the cases before the ordinary justices, a stipendiary magistrate sitting with them, 1387-1395——Dissatisfaction of the workmen in being treated criminally for breach of contracts, whilst the masters can only be proceeded against civilly, 1400, 1401. 1411——Redress open to the master if allowed to arrest the workman's wages; doubt as to the expediency of this system, 1412-1416——Advantage to the men in the pottery trade if day contracts were introduced; probability of such contracts working well, 1416-1424.

Examinations (Breach of Contract). Suggestion that the person charged with breach of contract be permitted to be examined as a witness, *Burns* 2305——Approval of its being permitted to examine workmen when charged with breach of contract, *Mathews* 2492-2494.

The Committee are not prepared to recommend the adoption of the suggestion for the examination of the parties to the action, *Rep.* iii.

F.

Factory Workers. Frequent imprisonment, under the Act, of female factory workers in Scotland, *Campbell* 303.——*See* also *Gray, Alexander.*

Fines. Statement upon the question of a fine being an adequate punishment, as workmen may not have wherewith to pay it, *Newton* 69, 70. 116-121. 203, 204——Limited remedy of the employer in the event of workmen striking for wages and causing him serious loss through the non-fulfilment of a contract undertaken by him, *Campbell* 405-409.

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Fines—continued.

Belief as to its not being optional in the magistrate to inflict a fine for breach of contract; practice in Liverpool always to imprison, *Williams* 1143–1150——Evidence in approval of an option in the tribunal to inflict a fine in lieu of imprisonment, *Hood* 1260–1264. 1312. 1328–1331. 1340–1342; *Lancaster* 1429–1435. 1450; *Forster* 1537–1544. 1604–1608; *Odger* 1914, 1915; *Dickinson* 2132–2142. 2146. 2156–2158. 2185; *Burns* 2279–2284. 2379–2381. 2388; *Part* 2399; *Mathews* 2423–2428. 2454. 2458.

Suggestion that the magistrates should have the option of imposing fines from 1*s.* up to 5*l.*; *Lancaster* 1491–1495——Advantage if workmen were allowed to pay the fine by instalments, *Odger* 1928. 1941. 1988——Adequacy of fines as a punishment for workmen; very exceptional instances of their not being in a position to pay fines in full, *ib.* 1938–1943.

Suggested large discretion in the magistrate as to the amount of fine for breach of contract, *Burns* 2339——The maximum fine might be 10*l.*, *ib.*——Objection to the proposal that the fine be payable by instalments, *ib.* 2346.

Objection to the fine being placed at a higher maximum than 5*l.*, *Part* 2413–2417——Contemplated discretion in the magistrates as to the infliction of light or heavy fines, and as to the mode of disposal of the fines, *Mathews* 2477–2491.

Resolution of the Committee that punishment should be by fine, and, failing payment, by distress or imprisonment, *Rep.* iii.

See also *Arrestment of Wages. Building Trade. Civil Offence. Distress Warrants. Imprisonment. Mines and Miners. Procedure.*

Foreign Countries. Belief that in no other country would so unjust a law be allowed as that of master and servant under the Act 4 Geo. 4, *Roberts* 1664. 1704–1710.

Forster, Thomas Emerson. (Analysis of his Evidence.)—Is president of the North of England Institute of Mining Engineers, and is viewer and manager of several collieries, 1509, 1510——Instances of prosecution for breach of contract at Seaton Delaval and other collieries, under witness; practice in these cases first to issue a summons, and only to have recourse to a warrant in the event of non-appearance on the summons, 1511–1534——Explanation as to the form of contract in witness's mines, 1517–1521——Necessity of imprisonment if the men did not pay the fines inflicted for breach of contract, 1535, 1536. 1562——Approval of its being optional in the magistrate to fine or to imprison; beneficial effect, however, of the fear of imprisonment upon the men, 1537–1544. 1604–1608.

Insufficiency of the regulations under the Mines Inspection Act for the protection of the employers, 1545——Impression that the miners in England would object to minute contracts; security to them under the present system of notices, 1546–1554. 1577–1580 Approval of summonses being, as a rule, issued in the first instance for breach of contract; exceptional cases in which warrants should still be resorted to, 1555–1560. 1583–1603.

Objection to an arrestment of wages in lieu of imprisonment, 1563–1567, 1581, 1582——Approval of the jurisdiction as exercised by the justices, 1568–1573——Expense and delay in bringing cases before the county court, 1574——Advantage if a stipendiary magistrate always sat with the justices, 1575, 1576.

G.

Glasgow Executive Committee. Witness, who is a manufacturing potter at Glasgow, represents the executive committee appointed at a conference of the trades in London, associated for the purpose of obtaining an amendment of the law relating to masters and servants, *Newton* 1–10. 194–196——Main object of those represented by witness, that there should be the same law for the workman as for the master, and that under no circumstances should the workman be prosecuted criminally for a breach of contract, *ib.* 8–10. 130. 197–200——Various trades represented by the executive committee at Glasgow, by which witness has been deputed to give evidence, *ib.* 238–243.

The present movement for amending the law of master and servant was originated by witness, and he is now chairman or convener of the Glasgow Executive Committee appointed by the working classes of the country generally for carrying on the movement, *Campbell* 289–295.

Authority given to the Glasgow Executive Committee by delegates from the trades generally to take action for an amendment of master and servant, *Williams* 1053–1061——Doubt as to the sudden stoppage of any workmen in the glass trade having any or much injury on the manufacture or on the workmen generally, *Newton* 76. 122–129——Illustrations, in the case of workmen in the flint glass trade and bottle glass trade, of the harsh and unequal operation of the law of master and servant, *Campbell* 300–303. 410–416

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416——Information relative to the rules in glass works, and their stringent character, with reference to the necessity of continuous service on the part of the workmen; objection to these rules, *Campbell* 410–422. 424–429——The disputes between the employer and the employed in the glass trade are not so numerous as formerly, *Roberts* 1733.

Gray, Alexander. Great hardship in the recent case of a factory worker in Glasgow named Alexander Gray, who was sent to prison in anticipation that he would absent himself from his work, *Campbell* 303. 330–334.

H.

Hood, Archibald. (Analysis of his Evidence.)—Is lessee of two collieries in Scotland; has also some brick works and tile works, 1221–1225——System of daily contract in operation in witness's collieries, and in most of the collieries in Mid-Lothian and Lanarkshire; beneficial operation of the system, though at first much objected to by the men, 1226–1246. 1303, 1304——Single instance, over a period of ten years, of witness having prosecuted a miner under the Master and Servant Act, 1246–1250——Doubt as to certain cases of serious misconduct or neglect in mines being sufficiently dealt with under the rules drawn up under the Mines Inspection Act; the special rules might, however, be made sufficiently stringent to serve all purposes, 1251–1258. 1321–1329.

Few instances of prosecutions in Scotch mines not yet under daily contracts, 1259——Approval of its being rendered optional in the judge to award either fine or imprisonment for breach of contract, 1260–1264. 1312. 1328–1331. 1340–1342——Grounds for objecting to arrest of wages either by creditors or in respect of breach of contract; refusal of witness to continue to employ any men whose wages continue under arrest, 1265–1276. 1335, 1336. 1346——System of daily contract in witness's brick and tile works, he having had no cases of breach of contract, 1281–1286. 1308–1311. 1313–1320.

Statement in defence of the magistrates as the tribunal to adjudicate in cases of breach of contract: objection to the sheriff's court, 1287–1295. 1332–1334. 1347–1350——Arrangement as to the workmen at one of witness's collieries paying rent to witness for their cottages: difficulty in summarily ejecting them without due notice and legal proceedings, 1296–1302——Expediency of criminal punishment of miners in certain cases, at the option of the judge; argument that otherwise there is not the same means of redress as there is by penalty, in the case of masters, 1321–1331. 1337–1345.

I.

IMPRISONMENT;

Illustrations of the great hardship and injustice of the imprisonment of workmen under charges of breach of contract, *Newton* 17–19; *Campbell* 296–311; *Roberts* 1661–1672——Approval of the retention of criminal procedure and imprisonment in exceptional or aggravated cases, *Newton* 67, 68. 72–76. 82–86. 175–193; *Dronfield* 811–829; *Williams* 1062. 1074. 1093–1095; *Winters* 1195–1206. 1215–1220; *Lancaster* 1436–1440. 1444–1447; *Forster* 1555–1560; *Mathews* 2454–2459——Approval, in certain extreme cases, of imprisonment, without hard labour, in the event of non-payment of fines inflicted by a competent tribunal, and in the event of failure to procure a bond of caution, *Newton* 95–104. 205–208——Strong feeling among workmen against the degradation of imprisonment for breach of contract, *ib.* 141–144. 234.

Objection in any case to imprisonment for breach of contract, even though the workmen had not wherewithal to pay the fine inflicted; dissent from Mr. Newton on this point, *Campbell* 333–363. 437–448——Very bad effect produced upon workmen by imprisonment, *M'Donald* 467.

Concurrence in the view as to the necessity of imprisonment in the event of non-payment of fines; that is, under the common law of imprisonment for debt, *M'Donald* 527–529. 565, 566. 592–595; *Steele* 728, 729; *Dronfield* 799, 800; *Normansell* 948–952. 1006; *Williams* 1106. 1152; *Forster* 1535, 1536. 1562; *Odger* 1987; *Mault* 2639–2641——Objection to imprisonment of miners for breach of contract, except in the shape of imprisonment for debt or non-payment of fine, *Normansell* 892 *et seq.*; 1041–1048——Difficulty as to the course to be pursued in the event of there being no effects to meet a fine levied upon a workman; probable necessity of imprisonment in such case, *Winters* 1182. 1184–1191. 1196–1206.

Approval of its being rendered optional in the judge to award either fine or imprisonment for breach of contract, *Hood* 1260–1264. 1312. 1328–1331. 1340–1342; *Odger* 1914, 1915; *Part* 2399; *Mathews* 2454. 2458——Witness considers that the Master and Servant Act operates harshly through the magistrates not having the option to fine instead of to imprison; willingness of employers of labour generally to concur in an alteration of the law giving this option, *Lancaster* 1429–1435. 1450——Approval of its being optional in the magistrate to fine or to imprison; beneficial effect however of the fear of imprisonment upon the men, *Forster* 1537–1544. 1604–1608.

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Disapproval of imprisonment in exceptional cases, *Roberts* 1649-1651. 1695-1703—— Objection to an option in the tribunal to fine or to imprison; the latter should only follow as the result of non-payment of fine, *ib.* 1675-1703——Expediency of masters being liable to imprisonment if retained as a punishment for the men; dissatisfaction otherwise, unless an entirely civil procedure be applied equally to both parties, *Odger* 1930-1938. 2008-2019.

Option given to the magistrates to fine or to imprison in cases under the Mines Inspection Act; advantage if there were a similar option in cases of breach of contract, *Dickinson* 2132-2142. 2146. 2156-2158. 2185——Suggestion that if possible the cases be limited and deferred by Act for which imprisonment should be inflicted, it being undesirable to imprison at all save in aggravated cases, *ib.* 2143-2155. 2185. 2190-2193. 2204-2207——Advantage of similar rules being prepared under the law of master and servant, as under the Mines Inspection Act, specifying the cases in which imprisonment might be imposed, *ib.* 2190-2193——Witness has known a magistrate send a man to prison after he has been fined under the rules, *Roberts* 2234. 2268, 2269.

Resolution adopted by the Mining Association of Great Britain in favour of an option being given to the justices, in case of breach of contract, to impose a fine or imprisonment, *Burns* 2279-2284; *Mathews* 2423-2428——Witness never heard of men, under charge of breach of contract, being imprisoned before they were convicted, *Burns* 2330, 2331——Approval of the master as well as the workman being liable to imprisonment for non-payment of fine, *Burns* 2352, 2359. 2370, 2371; *Mathews* 2519.

Great difficulty of classifying by Act the cases to be treated by fine and by imprisonment respectively; advantage rather in leaving this to the discretion of the magistrate, *Burns* 2379-2381——Concurrence of employers generally in Scotland in the proposition for rendering it optional in the magistrate to fine or to imprison, *ib.* 2388——Necessity of retaining the power of summary committal in exceptional cases in the interests of the employed as well as of the employers, *Mathews* 2454-2459——Absence of any such wilful neglect or aggravated breach of contract on the part of a master as to cause an amount of injury or loss calling for a power of imprisonment, or for exceptional legislation, *ib.* 2502-2513. 2523-2527.

Resolution of the Committee, that failing payment of fine, punishment should be by distress or imprisonment, *Rep.* iii——In aggravated cases of breach of contract, causing injury to person or property, the magistrates or sheriff should have the power of awarding punishment by imprisonment instead of by fine, *ib.*

See also *Building Trade. Criminal Offence. Fines. Glass Trade. Gray, Alexander. Inequality and Hardship. Mines and Miners. Pottery Trade. Procedure. Re-imprisonment.*

Inequality and Hardship. Primary object of the present movement to remove the existing inequality, and to put the employer and the employed before the law in the same condition, *Newton* 8-10. 130. 197-203; *Campbell* 314——Inequality in workmen being liable to criminal punishment, whilst masters are only liable to civil punishment, for breach of contract, *Newton* 11-16——Particular cases cited as showing the hardship and injustice to workmen under the existing unequal law; illustration in witness's own case, *ib.* 17-39.

Witness cites sundry cases in proof of the harsh, unequal, and unjust operation of the Act 4 Geo. 4, c. 34, as regards breach of contract of service on the part of workmen; these cases occur in almost all trades, *Campbell* 296-311——Concurrence of witness in the evidence generally of Mr. Newton as to the inequality of the present system, and the amendments required, *ib.* 312-315.

Evidence as to the inequality of the law in the case of miners, *M'Donald* 467 *et seq.* ——Very disadvantageous position of the miners as compared with their employers under the present law of master and servant, *Normansell* 1003, 1004——Objection to the Act 4 Geo. 4, on account of its unequal and harsh operation in regard to workmen as compared with masters, *Williams* 1062-1065.

Information relative to the present state of the law as regards the relation of the master to his servant, and the power of the latter to proceed against and punish him, *Roberts* 1619-1635——Great inequality as regards breaches of contract in the servant being liable to imprisonment, whilst for analogous acts the master is not so liable, *ib.* 1636-1648——Circumstance of the laws relating to master and servant being all derived from times when the position of workmen in this country was very different from what it now is, *ib.* 1651-1654——Strong feeling on the part of working men against the inequality of the law, *ib.* 1658, 1659——Contrast between the slight redress, by means of a small fine, against the master, whilst the latter may visit the workman with three months' imprisonment and hard labour, *ib.* 1774-1785. 2238.

Explanation as to witness having cited only two cases in illustration of the oppressive character of the present law, and as to his not being prepared with any case since 1850, *Odger* 1818-1827. 1862-1872. 1935-1937——Strong objection to the criminal procedure and

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and the power of imprisonment as regards workmen, whilst the masters can only be dealt with for a civil offence, *Odger* 1834. 1840, 1841——Bad feeling created in the workmen by the knowledge that they can be treated in an unequal and oppressive manner, *ib.* 1840. 1856–1861. 1951, 1952——Gain to masters, as well as to men, if the former would declare against the inequality of the Act, *ib.* 1854. 1944——Opinion that the present law is too harsh and unequal, *Dickinson* 2151.

Argument opposed to the view that there is great inequality under the present system of punishment, *Hood* 1321–1331. 1337–1345; *Burns* 2346–2350. 2379, 2380. 2386——Belief that servants generally are quite aware of the state of the law, and that no bad feeling arises in consequence of the law, towards their employers, *Burns* 2353-2355——Occurrence of some cases of hardship, so that the masters are only too willing to see a modification of the more stringent provisions of the Act, *ib.* 2356.

See also *Criminal Offence (Breach of Contract). Cutlery Trade. Fines. Glass Trade. Gray, Alexander. Imprisonment. Mines and Miners. Pottery Trade. Procedure. Ship-building Trade. Shoemakers. Tinplate-workers.*

Intimidation of Workmen. Opinion as to the offence of intimidation coming under the law of master and servant, *Burns* 2335, 2336.

Iron-moulders. Instance of hardship in 1862, under the Act 4 Geo. 4, in the case of a moulder at the Hyde Park Works, Glasgow, who was arrested and prosecuted for breach of contract, *Steele* 693–701——Very general adoption of minute warnings in the iron-moulders trade in Glasgow and throughout Scotland, so that prosecutions for breach of contract do not arise, *ib.* 701–712——System of weekly and fortnightly warnings formerly, the masters having voluntarily adopted the minute system, *ib.* 702. 713, 714——Very beneficial operation of the practice of minute contracts in witness's trade, *ib.* 715, 716. 720, 721. 726——Exceptional occasions on which, by moulders suddenly discontinuing work, they may injure their employers and stop the employment of their fellow-workmen; approval of such exceptional cases being dealt with criminally, *ib.* 716–721. 728. 744–760.

Iron Trade. Many cases under the Act 4 Geo. 4 arise between master and servant in the iron trade, *Roberts* 1733.

J.

Jervis's Act. Power under Jervis's Act to imprison the master, as an ultimate result, in the event of non-payment of wages, *Roberts* 1625–1629. 1635.

Justices of the Peace. See *Tribunal.*

L.

Lanarkshire. Very objectionable administration of the law by justices of the peace in Lanarkshire; reference more especially to mining cases, *M'Donald* 538–543. 550–559.

Evidence in defence of the administration of the law by the Lanarkshire magistrates; leniency rather than harshness of their decisions as regards the employed, *Burns* 2299–2301. 2304. 2356.

See also *Merry & Cunningham, Messrs. Mines and Miners. Minute or Day Contracts.*

Lancashire. Strong feeling in Lancashire in favour of a change in the law of master and servant; witness does not however speak for the cotton trade, *Williams* 1158–1164.

Lancaster, John. (Analysis of his Evidence.)—Is vice-president of the Mining Association of Great Britain, and is owner of collieries employing upwards of 9,000 hands, 1426–1428——Considers that the Master and Servant Act operates harshly through the magistrates not having the option to fine instead of to imprison; willingness of employers of labour generally to concur in an alteration of the law giving this option, 1429–1435. 1450——Approval of the present practice of proceeding in the first instance by summons, the right of proceeding by warrant being however required for exceptional cases, 1436–1440. 1444–1447——Statistics showing the very few prosecutions for breach of contract in connection with mines, 1441–1449.

Statement as to the inadequacy of the rules and regulations under the Mines Inspection Act for meeting serious cases of misconduct or breach of contract on the part of miners where daily contracts prevail, 1451–1457. 1504–1508——Disapproval of the system of minute or day contracts as in Scotch mines; advantage to the men as well as to the masters in having fortnightly notices, 1451–1465——Strong objection to the power of arresting wages, 1466.

Insufficiency of the civil law for the punishment of an inferior class of men who work in connection with mines, but are not under the master and servant law, 1467, 1468——Approval of the jurisdiction of the justices in cases of breach of contract; absence of

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Lancaster, John. (Analysis of his Evidence)—*continued.*

partiality on their part in witness's district, 1469-1485——Suggestion that the men might have power to try the question of breach of contract by the masters without giving a fortnight's notice before a summons can be obtained, 1469-1471.

Frequent instances of men breaking their contract without the masters thinking it worth while to prosecute them, 1486-1488——Effect of the present law in preventing men from suddenly leaving their employment, 1489——Absence of any strong feeling among the workmen in witness's district against the criminal procedure under the Act, 1490——Suggestion that the magistrates should have the option of imposing fines from 1*s.* up to 5*l.*, 1491-1495.

Liverpool. Frequency of prosecutions under the Act 4 Geo. 4 in the various trades in Liverpool, *Williams* 1075-1080. 1091, 1092.

London Trades. Witness explains the action taken by the trades of London with reference to the present inquiry, and to the authority given to the Glasgow Executive Committee, *Odger* 1793-1808——Enumeration of the trades represented by witness, *ib.* 1806-1808——Circumstance of witness not being prepared with any case from the reports of the general London trades of a more recent date than 1850; explanation on this point, *ib.* 1818-1827. 1862-1872. 1935-1937. 2001, 2002.

M.

M'Donald, Alexander. (Analysis of his Evidence.)—Is acting agent for the miners of Scotland, and is president of the Miners' Association of England, one of the objects of which is to procure an alteration in the law of master and servant, 454-456——Witness was formerly a working miner in Lanarkshire, 457-461——He has had considerable opportunities of observing the working of the law of master and servant in the case of mines, 462-466.

Inequality of the law in the miner being liable to imprisonment for breach of contract whilst the master is only liable to civil action, 467, 468——Very bad effect produced upon workmen by imprisonment, 467——Limited enforcement of the Act as regards Scotch mines in recent years, the mining works being for the most part conducted without any contract of service, 469——Particulars relative to the gradual adoption of minute or day contracts in the great majority of the collieries of Lanarkshire and other counties; very salutary operation of this system, the adoption of which in Scotland is likely to become universal, 469 *et seq.*

Practice formerly of having twelve months' contracts in the Scotch mines, whilst the wages were paid every three months under the truck system; movement on the part of the men which led to the adoption of fortnightly or monthly contracts in lieu of yearly contracts, 474-496——Great progress of education among miners in Scotland, so that they have become more alive to their own interests, 484. 494-496. 505——Origination by the masters rather than by the men of the system of day contracts, 505-507.

Limited extent to which trades unions or strikes have been used in enforcing the system of day contracts, 506, 507. 623-629——Pressure now being exercised upon the proprietors of the Rose Hall Colliery, in Lanarkshire, for the adoption of day contracts, this colliery being surrounded by others all upon the latter system, 507-514——Special rules in force in coal and iron mines for dealing with any dereliction of duty by the miners, so that the Act 4 Geo. 4 is unnecessary for the protection of the master, 516-524. 590, 591.

Expediency of civil redress only for breach of contract by miners, 525, 526. 562-566——Non-objection to imprisonment for non-payment of fines, 527-529, 565, 566. 592-595——Decided objection to the power of arrestment of wages, as by common law in Scotland, though witness does not object to such power in the special case of a master having a claim against a workman, 530-537. 560, 561. 596-603——Evidence as to the unfitness of justices of the peace, more especially in Lanarkshire, as the tribunal to decide between masters and men; strong feeling of miners on this matter, 538-543. 550-559——Improvement if all cases between master and men were committed to the sheriff or sheriff-substitute of the district; slight delay likely to arise, 544-549.

Further statement in approval of the system of having no contracts, or minute contracts; reference hereon to the very limited adoption of this system in mines in England, 562-580.

Advantage to all classes of workmen in mines under the system of minute contracts, rather than when a fortnight's notice is required, 581-589——Belief that strikes have not increased through notices being dispensed with, 589.

Information relative to the evasion of the Truck Act at mining works in Scotland; great grievance of the workmen on this score, 604-622. 630 *et seq.*——Comment upon the practice of Messrs. Merry & Cunningham in carrying on the truck system at their extensive works; calculation that they make a profit of 18,000 *l.* or 20,000 *l.* a year on their

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their truck shops, 606–612. 652–661——Effect of minute contracts in leading to a reduction of the truck system rather than in encouraging it, 610–615. 620–622.

Explanation as to the part taken by witness, and by the Miners' Association, with a view to an amendment of the law, so as to effectually put down the system of truck in Scotland, 619. 662–682.

Magistrates. Evidence in disapproval of the present tribunal, the magistrates being of the same class as the employers, and being otherwise an objectionable court of adjudication, *Newton* 13. 54–58. 87–91. 145–156. 264–268; *Campbell* 315–322; *M'Donald* 538–543. 550–559; *Steele* 734–741; *Dronfield* 829–834. 847–854. 860–864; *Normansell* 978–985; *Williams* 1165–1174; *Roberts* 1661–1688. 1691–1703. 1711; *Odger* 1889–1897. 1921–1929. 1945–1950. 1974–1981. 1996–2000.

Evidence in defence of the justices of the peace as the tribunal of adjudication in cases of breach of contract, *Hood* 1287–1295. 1332–1334. 1347–1350; *Lancaster* 1469–1485; *Forster* 1568–1573; *Ormiston* 2101, 2102; *Burns* 2299–2301. 2304. 2356; *Part* 2402, 2403. 2410; *Mathews* 2429–2446. 2499–2501.

Resolution of the Committee in favour of the cases being tried before two or more magistrates, *Rep.* iii.

See also *Tribunal.*

Mathews, William. (Analysis of his Evidence.)—Is president of the Mining Association of Great Britain; has had great experience as an employer of mining labour in Staffordshire, and as a magistrate, of the law of master and servant, 2418–2422——Great complaint on the part of workmen in the midland districts as to the criminal punishment under the law of master and servant, 2423——Feeling also of stipendiary magistrates that it is hardly right to visit a civil offence with a criminal punishment, *ib.*——Resolution, in February last, of the Mining Association in favour of giving the magistrates the option either of fine or imprisonment, 2423–2428.

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1. *As to the present Procedure by Summons and by Warrant respectively:*

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1. *Evidence opposed to the Justices of the Peace as the Tribunal of Adjudication in Cases of Breach of Contract.*
2. *Evidence in Defence of the Jurisdiction of the Magistrates.*
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1. *Evidence opposed to the Justices of the Peace as the Tribunal of Adjudication in Cases of Breach of Contract:*

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3. *Suggestions for an Improvement of the existing Tribunal, or for Adjudication by a New Court:*

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Improvement if the sheriff, or sheriff substitute in Scotland, and the county court judge in England, were substituted for the present tribunal; doubt as to much inconvenience from delay, *Campbell* 315. 323–329——Advantage if all cases between master and men were committed to the sheriff, or sheriff substitute of the district; slight delay likely to arise, *M'Donald*, 544–549—— The law would be much more impartially administered by the sheriff, *Steele* 736.

Improvement at Sheffield if the county court judge dealt with these cases, or if there were a stipendiary magistrate at Sheffield who could undertake them, *Dronfield* 829. 835–846. 862——Objection to the county court as the tribunal, as not sitting frequently enough, *Forster* 1574; *Mault* 2635–2627——Advantage if a stipendiary magistrate always sat with the justices, *Forster* 1575, 1576.

Suggested adjudication by the county courts instead of by the magistrates, *Roberts* 1655, 1659, 1660. 1673——Necessary change in the tribunal if breach of contract by working men were not treated as a criminal proceeding, *ib.* 1660——Decided advantage of stipendiary magistrates over justices of the peace, as the tribunal to adjudicate, *ib.* 1685–1687. 1712.

Approval to some extent of an amended system comprising procedure by summons, and the trial of cases by two or more magistrates not employers of labour in the particular trade in question, *Odger* 1921–1923. 1945–1950——Facility of extending the jurisdiction of the local magistrates if civil process only were to be resorted to, *ib.* 2020–2022.

Satisfactory adjudication by the justices in petty sessions in cases under the Mines Inspection Act, the owner himself, or any relative being prohibited from sitting, and it being necessary to have two magistrates, unless one is a stipendiary magistrate, *Dickinson* 2170–2179.

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3. *Suggestions for an Improvement of the existing Tribunal, &c.*—continued.

2170–2179. 2201–2203——Approval of a similar tribunal to the foregoing in cases of breach of contract, *Dickinson* 2174–2179, 2186, 2187. 2201–2203——Advantage if it were required that three magistrates should always be present; difficulty in some districts, *Roberts* 2259–2262.

General objection to the jurisdiction of unpaid magistrates, so that the jurisdiction of the stipendiary magistrate, or sheriff, would, if practicable, be preferable, *Burns* 2300. 2302–2304——Difficulty in many districts of obtaining a tribunal of three magistrates, *ib.* 2357, 2358——Advantage if the cases were tried by not less than two magistrates and in open court, *Part* 2407, 2408——Advantage of stipendiary magistrates rather than of the justices, as the tribunal to decide cases of breach of contract, *Mault* 2620–2624.

4. *Resolution of the Committee as to the Amendment required:*

Resolution of the Committee that all cases arising under the law of master and servant should be publicly tried, in England and Ireland, before two or more magistrates, or a stipendiary magistrate, and in Scotland before two or more magistrates, or the sheriff, *Rep.* iii.

See also *Appeal.* *Fines.* *Imprisonment.* *Open Courts.*

Truck System. Information relative to the evasion of the Truck Act at mining works in Scotland; great grievance of the workmen on this score, *M'Donald* 604–622. 630 *et seq.* ——Effect of minute contracts in leading to a reduction of the truck system, rather than in encouraging it, 610–615. 620–622——Explanation as to the part taken by witness and by the Miners Association, with a view to an amendment of the law, so as to effectually put down the system of truck in Scotland, *ib.* 619. 662–682.

Comment upon the evasion of the Truck Act by magistrates in South Wales and Monmouth, who are themselves colliery owners, *Roberts* 1711, 1712——Great support given to the truck system by the practice of monthly or still longer payments, *ib.* 1773.

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Warrants. See *Procedure.*

Weekly Payments. Evidence as to the great importance of weekly payments; in the case of colliers witness would in fact make such payments compulsory by law, *Roberts* 1733–1771——Reasons for not leaving it to the colliers themselves to demand weekly payments, *ib.* 1745–1752——Practice of weekly payments by most houses in the cotton trade, *ib.* 1762–1768.

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Written Contracts. Considerable amendment required in the form of contract between masters and men, it being desirable that all contracts should be in writing and in duplicate, and that they should be made mutual, *Winters* 1177–1180. 1194——Expediency of written contracts for all, save very short terms; that is, for anything over a week, *ib.* 1207–1213.

FIRST

REPORT

FROM THE

SELECT COMMITTEE

ON

METROPOLITAN LOCAL GOVERNMENT, &c.;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed*
16 *April* 1866

Tuesday, 27th February 1866.

Ordered, THAT a Select Committee be appointed to inquire into the Local Government and Local Taxation of the Metropolis.

Wednesday, 7th March 1866.

Committee nominated of—

Mr. Ayrton.	Lord John Manners.
Mr. Tite.	Mr. Beecroft.
Mr. Bazley.	Mr. Turner.
Mr. Locke.	Sir William Gallwey.
Mr. Alderman Lawrence.	Sir Matthew White Ridley.
Mr. Baring.	Mr. Sandford.
Mr. Mill.	Mr. Kekewich.
Mr. Hanbury.	

Ordered, THAT the Committee have power to send for Persons, Papers and Records.

Ordered, THAT Five be the Quorum of the Committee.

Friday, 23d March 1866.

Ordered, THAT the Petition of Householders and Residents in the Camden-road, Holloway [presented 20th March], be referred to the Committee.

Monday, 9th April, 1866.

Ordered, THAT the Report of the Select Committee on Metropolis Local Taxation in Session 1861, be referred to the Committee.

Friday, 13th April 1866.

Ordered, THAT the Petition of Merchants, Millers, and others, for inquiry before the Select Committee on Metropolitan Local Government, &c., into Claim of Corporation of London to Compulsory Metage, be referred to the Committee.

Monday 16*th April*, 1866.

Ordered, THAT the Petition of Landowners of Essex, against Charges levied by the City of London on Grain, &c., be referred to the Committee.

Ordered, THAT the Committee have power to report their Observations, together with the Minutes of Evidence taken before them, from time to time to The House.

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FIRST REPORT.

THE SELECT COMMITTEE appointed to inquire into the LOCAL GOVERNMENT and LOCAL TAXATION of the METROPOLIS;——HAVE made progress in the Matters referred to them, and have agreed to the following REPORT:—

1. YOUR Committee having been informed by the Chairman of the Metropolitan Board of Works that several Bills have been submitted to Parliament in the present Session, at the instance of that Board, for the purpose of effecting improvements in the metropolis; but that the Board will be unable to proceed with them unless funds are provided by Parliament to carry them into execution, your Committee have deemed it expedient to inquire, in the first instance, into the local taxation of the metropolis, under the Acts constituting the Metropolitan Board of Works, and to report thereon to the House.

2. The Metropolitan Board of Works was organised for the commencement of business in December 1855, under the provisions of the 18th and 19th Viet., c. 120, called the "Metropolis Local Management Act."

3. By that Act the City of London, 82 parishes and eight extra-parochial places, containing 78,029 acres, are constituted the metropolis, subject to the jurisdiction of the MetropolitanBoard. By the Census of 1861 this metropolis contained 360,237 houses, inhabited by a population of 2,803,034, which is estimated by the Registrar General to have increased at the present time to 3,054,940 persons.

4. For the purposes of local government under the Act, the metropolis is divided into the City of London and 38 other districts, 23 of which are single parishes, and the remaining 15 are composed of two or more smaller parishes grouped together, as shown in the Appendix, No. 6, to this Report. The affairs of each parish and district are respectively managed by vestries and district Boards.

5. By the Act of 1855, the Metropolitan Board was empowered to construct the main drainage and principal sewers, to control all other sewage works constructed by the vestries and local Boards, to improve the streets and thoroughfares, to preserve the line of streets in the erection of buildings, to regulate the naming of streets and the numbering of houses. It was however provided, that any scheme of main drainage, as well as any plan of improvement, of which the cost should exceed 50,000 *l.*, was to be sanctioned by Her Majesty's Chief Commissioner of Works; but by an Act passed in 1858, this provision was repealed. The Board was also empowered by the 19 & 20 Vict. c. 19, to make applications to Parliament for the purpose of providing parks, pleasure grounds, places of recreation, and open spaces for the improvement of the metropolis and the public benefit of the inhabitants thereof.

6. By the Metropolis Building Act of 1855, the Metropolitan Board was invested with extended and varied powers to regulate the erection of all buildings within the metropolis.

7. The powers and duties of the Board have been considerably extended by subsequent legislation, more especially for the purpose of watching over the supply of purer gas, and the due measurement of gas; the storage of petroleum; the protection of unowned open spaces; the regulation of the use of locomo-

tive engines on roads; the collection of the rate to defray the charges for relieving the casual poor; the establishment and maintenance of a fire brigade; and the superintending of measures for the suppression of the cattle plague. The Board has also been authorised to appear and protect the public interest when affected by any local Bill introduced into Parliament.

8. The vestries and district Boards are invested with the following powers: the management of the local sewage and drainage, and of the paving, lighting, watering, cleansing, and improvements, and all other duties, powers and authorities in anywise relating to the government or concerns of the district, or of the inhabitants thereof, except such duties, powers, and authorities as relate to the affairs of the Church, or the management or relief of the poor, or the administration of any money or other property applicable to such relief. The rights of parishes, and other powers acquired under certain Acts of Parliament are reserved to each parish.

9. They are also specially empowered to regulate vaults and cellars under the streets; to restrain the occupation of underground dwellings; to remove projections and obstructions from houses in the streets; to control the erection of hoards; to regulate the scavengering of houses; to object to licenses for slaughter-houses being granted by justices; to appoint medical officers of health and inspectors of nuisances, and to exercise the duties and powers under the Nuisances Removal and Diseases Prevention Act.

10. In 1858, the Metropolitan Board, on being relieved by Parliament from the control of Her Majesty's Chief Commissioner of Works, determined upon a plan of main drainage, comprising a high level, middle level, and low level intercepting main drain for the north side of the Thames, meeting at Abbey Mills on the River Lea, and proceeding from thence to the outfall into the Thames at Barking Creek, and a high level and low level intercepting main drain for the South side of the Thames, meeting at Deptford, and proceeding from thence to the outfall into the Thames at Crossness Point. These works have been since completed, with the exception of the low level drain on the North side of the Thames.

11. The main drainage was, in 1858, estimated to cost somewhat less than three millions sterling, but in consequence of additions to the works and of the rise in the price of materials and labour, their estimated cost was subsequently raised to 4,200,000 *l.* The Board has actually expended 3,583,761 *l.* 9 *s.* 3 *d.* on this work, which, it is satisfied, will be completed within the second estimate of 4,200,000 *l.*

12. The Board was, by the Act of 1858, authorised by Parliament to raise a loan of 3,000,000 *l.* to be guaranteed by the Consolidated Fund, and to levy a rate of 3 *d.* in the pound, for a period of 40 years, to provide for its repayment, but in consequence of the increased cost of the works, the Board was subsequently authorised to raise an additional sum of 1,200,000 *l.*, also to be charged on the rate of 3 *d.* No increase of the rate was deemed necessary, as it appeared that the proceeds of the rate had increased so largely, that not only the 3,000,000 *l.*, but the additional loan of 1,200,000 *l.* would be paid off in less than 38 years. The Board has, up to the present time, borrowed under these powers the sum of 3,600,000 *l.* at 3¾ per cent. interest, and they have already paid off by means of the rate the sum of 800,000 *l.* leaving 2,800,000 *l.*, outstanding. As the works of the Low Level Sewer proceed, they will have to borrow the further sum of 600,000 *l.* to meet the cost of them. But the produce of the rates having continued to increase in a greater ratio since 1862 than before, as will be seen from the account of them in the Appendix, No. 1, now reaches the sum of 181,850 *l.*, it is obvious that the entire loan will be paid off, and the ratepayers will be relieved of this tax of 3 *d.* in the pound at a much earlier period than the 40 years for which it was originally imposed.

13. The Board having applied itself to the utilization of the sewage, instead of pouring it into the Thames, entered into a contract in the past year with a joint stock company to take the sewage at Barking Creek, and convey it by a culvert through Essex to the Foulness and Dengie Sands, for the purpose of irrigating the adjacent lands, and applying the surplus to the reclamation of the sea shore. The Company, after providing a preference dividend of 5 per cent. on its capital of 2,000,000 *l.*, is to pay a moiety of its profits to the Metropolitan Board.

This

This undertaking has been sanctioned by Parliament, and steps are being taken to carry it into execution; but your Committee do not deem it expedient to reckon upon the anticipated profits of this undertaking as a source of revenue until the results have been ascertained by experience.

14. With regard to metropolitan improvements, the Board, in accordance with the policy of the Act of 1855, were authorised by an Act passed in 1852 to construct an embankment on the north side of the Thames from Westminster Bridge to the eastern boundary of the Inner Temple, and a viaduct thence to Blackfriars Bridge, with approaches thereto: the estimated cost of this undertaking submitted to Parliament, and on the faith of which it was sanctioned, amounted to one million sterling. But it is due to the Metropolitan Board to state that the undertaking was not designed by them, nor was the Bill introduced with their previous concurrence, or prosecuted through Parliament by them; they are, therefore, neither responsible for the Estimate submitted to Parliament, nor for the introduction of any special provisions into the Bill as passed. Your Committee therefore abstain for the present from any report on these provisions, as they involve important questions which it is not necessary to determine immediately.

15. The Metropolitan Board have proceeded to carry the Act into execution, and have already expended the sum of 632,604 *l.* 17 *s.* 10 *d.*; but they have now come to the conclusion that it will be inexpedient to carry out the approaches in the manner provided by the Act, and that it will be necessary to make other approaches instead, at an additional cost of 270,000 *l.*, and they find that with this addition the cost will so greatly exceed the original estimate, that, after taking credit for an unexpected sum of 200,000 *l.* to be paid to them for the use of the embankment by a metropolitan railway company, the actual cost of the whole undertaking will not be less that 1,973,510 *l.* nearly double the estimate laid before Parliament.

16. In 1863 an Act, promoted by the Metropolitan Board, was passed for the construction of a new street in connection with the embankment from Blackfriars to the Mansion House in the City of London, which was estimated to cost one million sterling. The Board having proceeded to carry this Act into effect, have already expended the sum of 643,175 *l.* 14 *s.* 11 *d.*, but it now appears from the revised estimates, that, after taking credit for the resale of the surplus property which it will be necessary to acquire, the cost will be about 1,299,260 *l.*

17. Another Act, promoted by Her Majesty's Chief Commissioner of Works, was passed in 1864 for the construction by the Metropolitan Board of an embankment on the south side of the Thames from Westminster Bridge, with approaches, at an estimated cost of 480,000 *l.* This work has also been commenced by the Board, but it is now estimated that it will not be completed for less than 909,000 *l.*, or nearly twice the estimated cost.

18. For some years previous to the establishment of the Metropolitan Board of Works, the Corporation of London had been authorised to levy duties to the extent of 1 *s.* 1 *d.* on coals, culm, and cinders brought to any place within the Port of London, or within the Cities of London or Westminster, or the Borough of Southwark, or to any place within the distance of 20 miles from the General Post Office in the City of London, by any railway constructed or thereafter to be constructed, or by inland navigation, or any other means of conveyance, and also a duty of 4 *s.* a tun upon all sorts of wine which should be imported into the Port of London by way of merchandise. The wine duties, and 9 *d.* per ton of the coal duties, had been specifically appropriated by Parliament to the payment of the cost of the approaches to London Bridge and other improvements and public works sanctioned by Parliament for the benefit of the metropolis. The Corporation of London had been allowed to dispose of the remaining duty of 4 *d.* a ton for such purposes as it deemed fit, up to the end of the year 1861, under the circumstances hereinafter stated.

19. But the objects for which the duty of 8 *d.* a ton, and the wine duty, had been levied, having been satisfied in 1861, an Act was then passed by which the coal and wine duties were continued until the 5th of July 1872, but it was provided that the coal dues should only be levied on coal, culm, or cinders

brought by vessels into the Port of London to the westward of Gravesend within the limits of the Metropolitan Police District, and brought by railway or otherwise within the limits of that district, instead of a radius of 20 miles from the Post Office, subject to a drawback on all coals, culm, and cinders, conveyed out of the limits prescribed for the collection of the duty. The duty of 9 *d.* a ton on coals and the wine duties were directed by the Act to be paid, after satisfying all existing charges thereon, to an account to be opened, in the name of the Lords Commissioners of Her Majesty's Treasury, at the Bank of England, to be intituled "The Thames Embankment and Metropolitan Improvement Fund." Such fund was to be applied to the improvement of the metropolis in such manner as might thereafter be determined by Parliament.

20. By the same Act the duty of 4 *d.* was directed to be applied by the Corporation of London in the first instance in payment of the interest, and in discharge of the principal of the following sums raised by the Corporation, and charged by them upon that duty, viz., 300,000 *l.*, 200,000 *l.*, and 40,000 *l.* for the purpose of improving Cannon-street and effecting other improvements in the City; and an account of the receipt and application of the duty was to be kept separate and distinct from the accounts of the Corporation, and an abstract of the account was to be annually laid before Parliament; and after discharging the above sums and interest, the duty of 4 *d.* was directed to be applied by the Corporation towards or in aid of such a public improvement or improvements in or adjacent to the City of London, as Parliament should thereafter sanction.

21. By an Act passed in 1863, the coal and wine duties were continued until the 5th of July 1882, and the proceeds were appropriated in the manner provided in the previous Act.

22. The coal duties of 9 *d.* a ton and the wine duties, have been charged by Parliament with the sum of 2,000,000 *l.* for the embankment on the north side of the Thames and the street in continuation to the Mansion House, and with the sum of 460,000 *l.* for the embankment on the south side of the Thames, making together 2,460,000 *l.* which the Metropolitan Board is empowered to borrow for these objects. The Board has already borrowed the sum of 800,000 *l.* and the remaining sum of 1,600,000 *l.* remains to be raised for the purpose of proceeding with the works; but inasmuch as the present estimate for their completion exceeds the original estimate by the sum of 973,510 *l.* for the northern embankment, 299,260 *l.* for the street, and 429,000 *l.* for the southern embankment, making together an excess of 1,701,770 *l.*, it will be necessary for the Board to borrow that amount in addition to the loans of 2,460,000 *l.* already sanctioned, to complete these improvements.

23. The 9 *d.* coal dues and the wine dues have produced, under the Act of 1861, the following net amounts:—

	£.	*s.*	*d.*
Surplus of London Bridge Approaches Fund -	137,992	18	1
From 22d July to the end of 1861 - - -	81,277	1	–
1862 - - - - - - - -	162,222	13	4
1863 - - - - - - - -	175,868	14	9
1864 - - - - - - - -	182,755	–	11
1865 - - - - - - - -	195,677	3	11
TOTAL - - -	£. 935,793	12	–

24. The value of these dues, computed at 187,000 *l.* a year on the 25th of September last, for the period already mentioned, interest being allowed at 3½ per cent., was estimated at 2,300,000 *l.*, an amount with the proceeds already received more than sufficient to meet the balance of the loans charged thereon.

25. The Metropolitan Board has also carried out other important street improvements under special Acts of Parliament as follows:

26. An improved thoroughfare from Westminster to London Bridge, called "Southwark-street," at a cost of 596,706 *l.* 19 *s.* 1 *d.*

An

An approach from Cranbourn-street to Covent Garden, called "Garrick-street," at a cost of 125,446 *l.* 10 *s.* 9 *d.*, and an approach from Poplar to Victoria Park, at a cost of 43,430 *l.* 17 *s.* 5 *d.*

26. The expense of these improvements has been partly defrayed by loans amounting to 442,000 *l.* raised by the Board, and charged on the rate for general purposes, levied by it on the metropolis. The residue has been paid out of special funds placed at its disposal for the purposes, as well as by its rate for general purposes.

27. The Board has also undertaken two other street improvements, which have received the sanction of Parliament; one for the construction of a thoroughfare from Whitechapel to the Commercial-road, at an estimated cost of 175,000 *l.*, and the other for clearing away Middle-row, Holborn, at an estimated cost of 61,000 *l.*

28. The Board has likewise taken steps to fulfil the duty imposed upon it of providing parks for the recreation of the inhabitants of the metropolis, by obtaining an Act for the creation of a park on the north side of Islington, to be called "Finsbury Park," for which the Board has purchased the land at an expense of 59,567 *l.* 10 *s.* 5 *d.*; and another Act for a park in the neighbourhood of Bermondsey, for which the Board has also purchased the land at an expense of 59,271 *l.* 14 *s.* 4 *d.* Of this expenditure 110,000 *l.* has been defrayed by loans raised by the Board and charged upon the rate for general purposes, levied by it on the metropolis, and the rest has been paid out of the annual proceeds of that rate. It is, however, anticipated that the cost of converting the lands purchased into parks will be covered by the sale of some of the surplus land, so that no additional charge will be incurred to complete these undertakings.

29. In addition to the works above enumerated the Board has covered over and otherwise improved numerous important sewers, upon which the Board will have expended from its institution to the end of 1866 the sum of 380,166 *l.* 5 *s.* 10 *d.*

30. The Board has also contributed several sums annually towards improvements partly of a public and partly of a local character effected by the City of London and the vestries and local Boards in the metropolis, under arrangements entered into with them, for the most part, on the basis of the Board bearing one-third and the local authority two-thirds of the whole expense. These contributions have also been defrayed out of the general purposes rate levied by the Board, and will amount, at the close of this present year, to 87,960 *l.* 19 *s.* 4 *d.*

31. The other expenses of the Board since it was constituted, computed to the end of 1866 to be defrayed out of the general rate, may be enumerated as follows:—

	£.	s.	d.
Establishments, including compensation to late officers	237,839	14	10
Repayment of loans and interest on mortgages, debts of late Metropolitan Commissioners of Sewers	287,336	17	6
Repayment of loans raised by the Board, and interest	351,866	3	4
Expenses under the Sale of Gas Acts since 1862	13,080	–	–
Expenses under the Houseless Poor Acts for 1865	17,000	–	–
Special Parliamentary charges	7,313	13	1
Incidental sewage works, and additional contributions to improvements	20,000	–	–

32. It appears from the account of this expenditure in detail, printed in the appendix, No. 2, that the annual outlay of the Metropolitan Board progressively increased from 94,431 *l.* 6 *s.* 11 *d.* in 1856 to 148,001 *l.* 6 *s.* 4 *d.* in 1865, whilst the expenditure for the present year is estimated at 178,309 *l.* 13 *s.* 10 *d.*, to which is to be added a further charge of 30,822 *l.* 12 *s.* 3 *d.* for the maintenance of the Metropolitan Fire Brigade, and an unascertained sum for the cattle plague. The rateable annual value of the metropolis, on the basis of the assessment for the consolidated rate in the City of London, and for the county rate for the rest of

the metropolis, has, however, increased during the same period from 11,283,663*l.* to 14,524,542 *l.* in the present year: so that a rate of a 1 *d.* in the pound, which in the former year produced only 47,015 *l.* 5 *s.* 3 *d.* now yields the sum of 60,518 *l.* 18 *s.* 6 *d.* Though this has in some measure diminished the burthen of the incidence of the expenditure of the Metropolitan Board on individual ratepayers, it is apparent that the expenditure has increased in a much greater ratio than the assessable value of the metropolis, and the rate levied by the Metropolitan Board for general purposes now exceeds 3 *d.* in the pound in addition to the special rate of the same amount for the main drainage, making a total rate exceeding 6 *d.* in the pound.

33. The Metropolitan Board, however, have introduced into Parliament in the present Session, in addition to the Bill already noticed for improving the approaches to the Thames Embankment, at an additional cost of 270,000 *l.*, other Bills for effecting further improvements:

1. For an embankment of the Thames at Chelsea, with approaches, at an estimated cost of 206,000 *l.*

2. For the widening of the southern end of Park-lane, at an estimated cost of 105,000 *l.*

3. For the widening of High-street, Kensington, at an estimated cost of 88,000 *l.*

So that the whole improvements contemplated in the present Session would cost the sum of 669,000 *l.* But the Board have declared their inability to defray this estimated expenditure out of their general rate, and they have therefore only proceeded with the Bills conditionally upon Parliament providing them with the requisite funds from some other source.

34. The Chairman of the Metropolitan Board has suggested that the most expedient mode of raising the requisite funds would be to continue the coal and wine dues for a longer period, and to authorize the Board to borrow the amount, to be repaid out of the duty after the present charges thereon have been satisfied. And in case this should not be acceded to, then that the amount should be charged on a rate to be levied on the owners of property in the metropolis. The reasons for his views are fully set forth in his evidence accompanying this Report.

35. But before entering further into this question, it is necessary to notice a representation made to the Committee on behalf of the Corporation of London with respect to the duty of 4 *d.* a ton on coals.

36. The Corporation of London in 1864 obtained the sanction of Parliament to effect the long-desired improvement of raising the thoroughfare over Holborn Valley, with two lateral streets on the northern side of the viaduct, at an estimated net cost of 483,196 *l.* To meet this, the Corporation was empowered to borrow the sum of 600,000 *l.* on the security of the 4 *d.* coal duties. Having proceeded to carry out this improvement, the Corporation now estimates the net cost, owing to the rise in the value of property in the City of London, at 586,000 *l.*, being an addition of 102,814 *l.* The fund already provided by Parliament will still be sufficient to cover this increased expenditure.

37. The Corporation, however, are desirous of undertaking other improvements in the neighbourhood of Holborn Valley, the net estimated cost of which would be 429,000 *l.*; and they are also desirous of having the 4 *d.* Coal Tax continued for such further time as would enable them to raise the additional capital for the purposes on the credit of the dues.

38. It has also been suggested on behalf of the Corporation, that if the present coal dues be suffered to expire the Corporation would claim to levy metage dues for its own benefit; this subject was reported upon as follows by the Committee appointed in 1861 to inquire into the Local Taxation of the Metropolis:

"With regard to the impost of 4 *d.* a ton, your Committee find that the City exercised the right of appointing coalmeters, for the purpose of weighing or measuring all coal imported into the port of London, or water of Thames, under their conservancy, and that the coalmeters paid to the City an annual sum of 80 *l.* a year each, from the earliest times of which the Corporation have any accounts until the year 1785. This fact was especially

especially brought under the notice of the House of Commons in the year 1692, when the City of London laid before the House a statement of its revenues which, as respects the metage of coal, is as follows:—

"'The City's four coalmeters' places, at 80 *l.* per annum each, 320 *l.*

"'The rent of 10 coalmeters' places, of 80 *l.* per annum for each of them, have, time out of mind, belonged to the Lord Mayor for the time being, for the maintenance of several tables for above 30 officers, bound to constant attendance at the Lord Mayor's house about the affairs of this City; and the said rents were never paid to the chamber, nor esteemed part of the public revenue of the body corporate.'

"The coalmeters received a sum of 4 *d.* a chaldron for measuring the coal, for which they performed that duty and defrayed its incidental expenses.

"From the year 1785 to the year 1830 the Corporation of London gradually effected the important change of receiving the metage duties itself, and paying certain sums to the coalmeters, instead of receiving from them the fixed annual payment of 80 *l.* a year. The revenue thus obtained by the Corporation in the year 1829 amounted to the sum of 26,559 *l.* 13 *s.* 10 *d.*, subject to the payment of 6,639 *l.* 18 *s.* 5 *d.* to the deputy meters, and 2,860 *l.* 1 *s.* 1 *d.* for charges and expenses of metage, making a deduction of 9,499 *l.* 19 *s.* 6 *d.*, or about 36 per cent. on their receipts, which were thus reduced to the net sum of 15,059 *l.* 18 *s.* 11 *d.* in the year.

"But at that period the various charges then levied upon coals having engaged the attention of Parliament, an Act was passed, in 1831, for a period of seven years, abolishing the system of metage, and providing that the duties on coal should be levied by the ton weight, which was about four-fifths of the chaldron. By another Statute, passed in 1845, it was enacted that the duties should be levied within the area defined by a radius of 20 miles from the Post Office. These Acts, with slight modifications, have been continued until the present time.

"The City of London having thus been permitted to receive the duty of 4 *d.* a ton on that basis, the claim to levy 4 *d.* a chaldron, subject to a deduction of 36 per cent., in the Port of London, and river under their conservancy, was converted into a power to receive 4 *d.* on four-fifths of a chaldron, without being subject to any deduction (except some payments for expiring pensions), on all coal brought both by land and by sea, within 20 miles of London. The duty of 4 *d.* by these means, as well as by the growth of population, increased to 74,824 *l.* in the past year. Hence it is apparent that whilst in the year 1785 the City received only 1,120 *l.*, and in the year 1829 the sum of 15,059 *l.* for superintending the discharge of important duties by the coalmeters of London, it now receives 74,824 *l.*, without rendering in return any service whatever in relation to the trade in coal. Your Committee, however, deem it unnecessary to pursue this subject further, as the House has just passed a Bill to appropriate the duty of 4 *d.*, which it has continued for 10 years; first, for the payment of certain debts incurred in effecting public improvements; and, secondly, in aid of future public improvements in and adjacent to the City of London.

"Your Committee also think it unnecessary to report specially on the remaining duties of 8 *d.* and 1 *d.*, as they have also been continued by the same Bill for the further term of 10 years, and have been appropriated for the construction of the Thames embankment, and for other metropolitan improvements."

39. Your Committee are of opinion that it will be time enough to consider what course Parliament should adopt, on grounds of equity and policy, respecting any claim of the Corporation to metage dues, whenever the exact extent and legal nature of the rights, if any, of the Corporation to levy such dues are ascertained and defined by the decision of a competent court of justice. This claim, therefore, does not affect the question of prolonging the coal and wine duties, levied by statute, beyond the period now prescribed for their continuance.

40. Your Committee cannot but attach great weight to the opinion thus expressed by the representatives of the Metropolitan Board, and the Corporation of the City of London: and although evidence has been given by some witnesses as to the unfair incidence of the tax upon their particular trades, your Committee have no reason to believe that the existence of the coal and wine duties has exercised a prejudicial effect upon any of the industries alleged to suffer by their imposition.

41. It is further, in the judgment of your Committee, no slight recommendation of these duties that they are easily and economically collected, are already allocated by Act of Parliament for a term of 16¾ years to defray the cost of the several improvements above enumerated, and, having enured for a long period of time, do not excite the hostility which a new tax is likely to incur. Your Committee are therefore of opinion that should the works already referred to another Committee be sanctioned by it, the coal and wine duties might beneficially be continued for a further limited period.

42. The Board has, however, in addition to the improvements already noticed, submitted to your Committee a schedule of works deemed by it necessary for the improvement of the metropolis, which would cost several millions sterling; and having regard to the progressively increasing charge on the metropolis for the general purposes of the Board, and to the growing demands of the community for every kind of improvement, not merely to correct all the defects and neglects of centuries in the management of local affairs, but to satisfy the requirements of a daily increasing desire for greater convenience, and even adornment of the metropolis, your Committee are of opinion that the time has arrived when it is necessary to deal with the subject in a comprehensive and permanent manner.

43. The annual rateable value of the metropolis, deduced from the assessments for the consolidated rate in the City of London, and for the county rate on the rest of the metropolis, has increased from 11,283,663 *l.* in 1856 to 14,794,854 *l.* in the present year, of which the details are set forth in the Appendix, No. 2. But as the assessment for the county rate is only revised at intervals of two or more years, it appears that whilst it is generally higher than that for the poor rate, in several parishes in the metropolis it is, in fact, lower; and if the county rate were corrected in these cases, the whole rateable value would exceed 15,300,000 *l.* Even this cannot be accepted as the true rateable value; for it is the interest of large parishes, which are unions in themselves, to make their rateable value bear as low a proportion as possible to their actual rental, by which their contributions to county and other rates may be influenced; and though in parishes forming unions under the Parochial Assessment Act, the committees of assessment are interested in assessing every parish in the union on a uniform basis, they have a common interest, the same as the large parishes, in keeping the basis as low as possible; and notwithstanding all the property in the metropolis is subject to four separate assessments—for the poor rate, the county rate, the police rate, and the income tax, and houses above 20 *l.* to a fifth for the house duty,—there are no means of ascertaining the real rack-rental of property, or of deducing from it a just and full assessment upon a uniform basis. There is reason to believe, if this could be accomplished, the rateable value of several of the parishes would be considerably increased, for it appears that whilst the City of London, for example, is assessed for contribution to the metropolitan rates at 1,666,006 *l.*, its rateable value is 1,920,582 *l.*, and its estimated rental is above 2,303,664 *l.*, as shown in Appendix 8; but your Committee defer any suggestions for this purpose until they have inquired into the local management of the metropolis. They therefore now only deal with the present rateable value, on which the Metropolitan Board is required by law to levy its rates.

44. The whole charge for the local affairs of the metropolis may be grouped under the following heads:

For the Year 1864:	£.	s.	d.	£.	s.	d.	Rate in the £. s.	d.
Charge of the Metropolitan Board Main Drainage	180,262	12	9					
General purposes and County Rates,	163,826	17	2					
	344,089	9	11	344,089	9	11	–	6
Charges for paving, watching, lighting and other duties of Local Government by the City Authorities, Vestry and District Boards	996,586	11	1	–	–	–	1	2
				1,240,676	1	–	1	8
Poor Rates, including all Charges collected therewith, except Police Rate	1,212,971	–	9	–	–	–	1	7
Police Rate	331,204	17	9	–	–	–	–	6
				1,544,175	18	6	2	1
			£.	2,784,851	19	6	3	9

45. It

45. It appears, however, from the table in Appendix No. 6, that whilst the average rate is 3 *s.* 9 *d.*, the charges of the nature stated in the preceding paragraph on the districts where the most wealthy classes are congregated together is much below the average, as, for example, in the following places :—

	Highest Rateable Value for County or Poor Rate.	Expenditure.	Rate in the £.
	£.	£. *s.* *d.*	*s.* *d.*
St. George's, Hanover-square -	1,076,272	114,764 14 11	2 1
Paddington - - - - -	758,344	88,594 7 11	2 4
Kensington - - - - -	590,711	74,438 3 7	2 6
St. Margaret's and St. John's, Westminster - - - - -	441,673	57,033 17 3	2 7

But in the districts where the working classes, and others who live by their industry, are congregated, this charge is much above the average, as shown in the following examples :—

	Highest Rateable Value for County or Poor Rate.	Expenditure.	Rate in the £.
	£.	£. *s.* *d.*	*s.* *d.*
St. George-the-Martyr, Southwark	149,347	50,180 11 –	6 9
Woolwich - - - - -	83,000	26,773 – –	6 5
Whitechapel District - - -	279,060	76,607 7 2	5 6
Limehouse District - - -	234,608	63,449 4 7	5 5

46. So heavy has the charge of local taxation become in the less wealthy districts, that the Metropolitan Board is of opinion that direct taxation on the occupiers of property there has reached its utmost limits. This is perhaps more felt, from the fact that whilst the burthens which produce inequality are placed upon districts locally, those which have been incurred for the benefit of the more wealthy districts, and which, if they had been also localised, would have tended to redress the inequality, have been made general. The comparative extent of the expenditure which has been and will be incurred for improvements in different parts of the metropolis is shown by the following summary :

Thames Embankment North side with proposed approaches -	1,973,510
Street from Blackfriars to Mansion House - - - -	1,299,260
Garrick Street - - - - - - - - -	125,446
Middle Row Holborn - - - - - - - -	61,000
Holborn Valley Viaduct - - - - - - -	586,000
Widening of Hyde Park Lane - - - - - -	105,000
Widening of High Street Kensington - - - - -	88,000
Southwark Street - - - - - - - -	596,706
Victoria Park approach - - - - - - - -	43,430
Whitechapel Street - - - - - - - -	175,000
Finsbury Park - - - - - - - - -	59,567
Southwark Park - - - - - - - - -	59,271
Proposed Chelsea Embankment - - - - - -	206,000
Lambeth Embankment - - - - - - - -	909,000

47. It is, however, apparent, that if the local taxation of the metropolis were more equal, and the heaviest burthens were not cast on those least able to bear them, and the lightest on those most able, a much greater revenue could be raised from direct taxation; for if the inhabitants of such districts as St. George-the-Martyr or Whitechapel have paid rates ranging from 6 *s.* 9 *d.* to 5 *s.* 6 *d.*

5 *s.* 6 *d.* in the pound, it is obvious that the inhabitants of St. George's, Hanover square, Paddington, Kensington, and St. Margaret's and St. John's, Westminster, could more easily bear rates to the same extent. A rate of 4 *s.* in the pound (instead of the existing average rate of 3 *s.* 9 *d.*) over the metropolis, for all the purposes of local government, would yield an additional revenue of 181,768 *l.* It would appear, therefore, that one mode of providing funds for all local purposes wouldbe found in a nearer approach to the equalisation of local burthens on the metropolis; but as this involves not merely the charges imposed by the Metropolitan Board, but the charges for the administration of the Poor Law, it would carry your Committee beyond the scope of their present inquiry.

48. It remains to be considered whether the expenditure of the Metropolitan Board is of such a nature as that it would be just and reasonable to depart from the ordinary practice of imposing local burthens on the occupants of property for the year in which the rate is made. It will be observed from the foregoing account of the proceedings of the Metropolitan Board that nearly the whole of its expenditure and obligations have been incurred for the purpose of supplying wants arising from the defects of former administration of the affairs of the metropolis, and of effecting permanent improvements, which have tended to increase the value of property in the metropolis; that the works undertaken are of such magnitude that the charges for them have been extended by Parliament over many years, and that their effect will be felt long after all the charges have been defrayed; that the whole of this expenditure is of a novel character resulting from special legislation, imposing new and unforeseen burthens. In analogous cases, one moiety of the charge has been imposed upon the occupiers, and the other on the owners of property. Your Committee therefore recommend that in any arrangement of the financial resources of the Metropolitan Board a portion of the charge for permanent improvements and works should be borne by the owners of property within the metropolis, the rate being, in the first instance, paid by the occupier, and subsequently deducted from his rent, as is now provided in regard to the general property tax. Your Committee further recommend that whenever improvements or other works undertaken by the Metropolitan Board are of magnitude, and of a permanent character, the charge for them should be defrayed, in the first instance, by loans, to be raised by the Board on the security of its rates; and that the loans should be repaid by equal annual instalments, spread over a number of years proportionate to their amounts, and that the charge for the first instalment of them should be levied within the year in which the expenditure is commenced.

49. In making these recommendations, your Committee deem it right to add, in conclusion, that in prosecuting their inquiry into the best means of improving the local government of the metropolis, they will not fail to consider the question of conferring upon the owners of property, who have so great an interest in its permanent welfare, the power of being represented in the Metropolitan Board of Works.

16 *April* 1866.

PROCEEDINGS OF THE COMMITTEE.

Friday, 9*th March* 1866.

MEMBERS PRESENT:

Mr. Ayrton.	Sir William Gallwey.
Mr. Tite.	Mr. Locke.
Mr. Alderman Lawrence.	Sir Mathew White Ridley.

Mr. AYRTON was called to the Chair.

Resolved, That Sir *John Thwaites* be examined on Monday next, at 12.

[Adjourned till Monday next, at Twelve o'clock.

Monday, 12*th March* 1866.

MEMBERS PRESENT:

Mr. AYRTON, in the Chair.

Mr. Kekewich.	Mr. Tite.
Mr. Alderman Lawrence.	Sir William Gallwey.
Mr. Mill.	Mr. Sandford.
Sir M. White Ridley.	Mr. Beecroft.
Mr. Locke.	Mr. Turner.
Mr. Hanbury.	

Sir *John Thwaites*, examined.

[Adjourned till Thursday next, at Twelve o'clock.

Thursday, 15*th March* 1866.

MEMBERS PRESENT:

Mr. AYRTON, in the Chair.

Mr. Tite.	Mr. Kekewich.
Mr. Alderman Lawrence.	Mr. Mill.
Mr. Turner.	Mr. Locke.
Mr. T. G. Baring.	Sir W. Gallwey.
Sir M. White Ridley.	Mr. Bazley.

Sir *John Thwaites*, further examined.

[Adjourned till Monday next, at Twelve o'clock.

Monday, 19*th March* 1866.

MEMBERS PRESENT:

Mr. AYRTON, in the Chair.

Mr. Locke.	Sir M. W. Ridley.
Mr. Mill.	Mr. Tite.
Mr. Kekewich.	Mr. Sandford.
Lord John Manners.	Mr. Turner.
Mr. Bazley.	Mr. T. G. Baring.
Mr. Alderman Lawrence.	Mr. Beecroft.

Sir *John Thwaites*, further examined.

Mr. *Fry* and Mr. *Corrie* were severally examined.

Room cleared, and Committee deliberated.

Resolved, That the inquiry should, in the first instance, be limited to the means of providing for the increase of the charge for the works sanctioned by Parliament.

[Adjourned till Thursday next, at Twelve o'clock.

Thursday, 22*d March* 1866.

MEMBERS PRESENT:

Mr. AYRTON, in the Chair.

Sir M. W. Ridley.	Mr. Sandford.
Mr. Alderman Lawrence.	Mr. Tite.
Mr. Locke.	Mr. Hanbury.
Mr. Kekewich.	Mr. T. G. Baring.
Mr. Mill.	Mr. Beecroft.
Mr. Bazley.	

Mr. *Peter Roll*, Mr. *Mac Murray*, Mr. *Fraser*, Mr. *Benjamin Scott*, and Mr. *Pownall*, wery severally examined.

[Adjourned till Thursday, 12th April, at Twelve o'clock.

Thursday, 12*th April* 1866.

MEMBERS PRESENT:

Mr. AYRTON, in the Chair.

Lord John Manners.	Mr. T. G. Baring.
Mr. Alderman Lawrence.	Mr. Mill.
Mr. Tite.	Mr. Bazley.
Mr. Sandford.	Mr. Kekewich.
Sir M. W. Ridley.	Mr. Locke.

Draft Report proposed by the Chairman, read a first time, as follows:—

The SELECT COMMITTEE appointed to inquire into the Local Government and Local Taxation of the Metropolis; have made progress in the matters referred to them, and have agreed to the following Report:—

"1. Your Committee having been informed by the Chairman of the Metropolitan Board of Works that several Bills have been submitted to Parliament in the present Session, at the

the instance of that Board, for the purpose of effecting improvements in the metropolis: but that the Board will be unable to proceed with them unless funds are provided by Parliament to carry them into execution, your Committee have deemed it expedient to inquire, in the first instance, into the local taxation of the metropolis, under the Acts constituting the Metropolitan Board of Works, and to report thereon to the House.

"2. The Metropolitan Board of Works was organised for the commencement of business in December 1855, under the provisions of the 18th and 19th Vict., c. 120, called the "Metropolitan Local Management Act."

"3. By that Act the City of London, 82 parishes and eight extra-parochial places, containing 78,029 acres, are constituted the metropolis, subject to the jurisdiction of the Metropolitan Board. By the Census of 1861 this metropolis contained 360,237 houses, inhabited by a population of 2,803,034, which is estimated by the Registrar General to have increased at the present time to 3,183,089 persons.

"4. For the purposes of local government under the Act, the metropolis is divided into the City of London and 38 others districts, 23 of which are single parishes, and the remaining 15 are composed of two or more smaller parishes grouped together, as shown in the Appendix A. to this Report. The affairs of each parish and district are respectively managed by vestries and district Boards.

"5. By the Act of 1855, the Metropolitan Board was empowered to construct the main drainage and principal sewers, to control all other sewage works constructed by the vestries and local Boards, to improve the streets and thoroughfares, to preserve the line of streets in the erection of buildings, to regulate the naming of streets and the numbering of houses. It was however provided, that any scheme of main drainage, as well as any plan of improvement, of which the cost should exceed 50,000 *l.*, was to be sanctioned by Her Majesty's Chief Commissioner of Works; but by an Act passed in 1858, this provision was repealed. The Board was also empowered by the 19 & 20 Vict. c. 19, to make applications to Parliament for the purpose of providing parks, pleasure grounds, places of recreation, and open spaces for the improvement of the metropolis and the public benefit of the inhabitants thereof.

"6. By the Metropolis Building Act of 1855, the Metropolitan Board was invested with extended and varied powers to regulate the erection of all buildings within the metropolis.

"7. The powers and duties of the Board have been considerably extended by subsequent legislation, more especially for the purpose of watching over the supply of purer gas, and the due measurement of gas; the storage of petroleum; the protection of unowned open spaces; the regulation of the use of locomotive engines on roads; the collection of the rate to defray the charges for relieving the casual poor; the establishment and maintenance of a fire brigade; and the superintending of measures for the suppression of the cattle plague. The Board has also been authorised to appear and protect the public interest when affected by any local Bill introduced into Parliament.

"8. The vestries and district Boards are invested with the following powers: the management of the local sewage and drainage, and of the paving, lighting, watering, cleansing, and improvements, and all other duties, powers and authorities in anywise relating to the government or concerns of the district, or of the inhabitants thereof, except such duties, powers, and authorities as relate to the affairs of the Church, or the management or relief of the poor, or the administration of any money or other property applicable to such relief. The rights of parishes, and other powers acquired under certain Acts of Parliament are reserved to each parish.

"9. They are also especially empowered to regulate vaults and cellars under the streets; to restrain the occupation of underground dwellings; to remove projections and obstructions from houses in the streets; to control the erection of hoards; to regulate the scavengering of houses; to object to licenses for slaughterhouses being granted by justices; to appoint medical officers of health and inspectors of nuisances, and to exercise the duties and powers under the Nuisances Removal and Diseases Prevention Act.

"10. In 1858, the Metropolitan Board, on being relieved by Parliament from the control of Her Majesty's Chief Commissioner of Works, determined upon a plan of main drainage, comprising a high level, middle level, and low level intercepting main drain for the North side of the Thames, meeting at Abbey Mills on the River Lea, and proceeding from thence to the outfall into the Thames at Barking Creek, and a high level and low level intercepting main drain for the South side of the Thames, meeting at Deptford, and proceeding from thence to the outfall into the Thames at Crossness Point. These works have been since completed with the exception of the low level drain on the North side of the Thames.

"11. The main drainage was, in 1858, estimated to cost somewhat less than three millions sterling, but in consequence of additions to the works and of the rise in the price of materials and labour, their estimated cost was subsequently raised to 4,200,000 *l.* The Board has actually expended 3,583,761 *l.* 9 *s.* 3 *d.* on this work, which, it is satisfied, will be completed within the second estimate of 4,200,000 *l.*

"12. The Board was, by the Act of 1858, authorised by Parliament to raise a loan of 3,000,000 *l.* to be guaranteed by the Consolidated Fund, and to levy a rate of 3 *d.* in the pound, for a period of 40 years, to provide for its repayment, but in consequence of the increased cost of the works, the Board was authorised to raise an additional sum of 1,200,000 *l.*, also to be charged on the rate of 3 *d.* No increase of the rate was deemed necessary, as it appeared that the proceeds of the rate had increased so largely, that not only the 3,000,000 *l.*, but the additional loan of 1,200,000 *l.* would be paid off in less than 38 years. The Board has, up to the present time, borrowed under these powers the sum of 3,600,000 *l.* at 3¾ per cent. interest, and they have already paid off by means of the rate the sum of 800,000 *l.*, leaving 2,800,000 *l.* outstanding. As the works of the Low Level Sewer proceed, they will have to borrow the further sum of 600,000 *l.* to meet the cost of them. But the produce of the rates having continued to increase in a greater ratio since 1862 than before, as will be seen from the account of them in the Appendix, No. 1, now reaches the sum of 181,850 *l.*, it is obvious that the entire loan will be paid off, and the ratepayers will be relieved of this tax of 3 *d.* in the pound at a much earlier period than the 40 years for which it was originally imposed.

"13. The Board having applied itself to the utilization of the sewage, instead of pouring it into the Thames, entered into a contract in the past year with a joint stock company to take the sewage at Barking Creek, and convey it by a culvert through Essex to the Foulness and Dengie Sands, for the purpose of irrigating the adjacent lands, and applying the surplus to the reclamation of the sea shore. The Company, after providing a preference dividend of 5 per cent. on its capital of 2,000,000 *l.*, is to pay a moiety of its profits to the Metropolitan Board. This undertaking has been sanctioned by Parliament, and steps are being taken to carry it into execution; but your Committee do not deem it expedient to reckon upon the anticipated profits of this undertaking as a source of revenue until the results have been ascertained by experience.

"14. With regard to the metropolitan improvements, the Board, in accordance with the policy of the Act of 1855, were authorised by an Act passed in 1852 to construct an embankment on the North side of the Thames from Westminster Bridge to the eastern boundary of the Inner Temple, and a viaduct thence to Blackfriars Bridge, with approaches thereto: the estimated cost of this undertaking submitted to Parliament, and on the faith of which it was sanctioned, amounted to 1,000,000 *l.* sterling. But it is due to the Metropolitan Board to state that the undertaking was not designed by them, nor was the Bill introduced with their previous concurrence, or prosecuted through Parliament by them; they are not therefore responsible for the introduction of any special provisions into the Bill as passed. Your Committee therefore abstain for the present from any report on these provisions, as they involve important questions which it is not necessary to determine immediately.

"15. The Metropolitan Board have proceeded to carry the Act into execution, and have already expended the sum of 632,604 *l.* 17 *s.* 10 *d.*; but they have now come to the conclusion that it will be inexpedient to carry out the approaches in the manner provided by the Act, and that it will be necessary to make other approaches instead, at an additional cost of 270,000 *l.*, and they find that with this addition the cost will so greatly exceed the original estimate, that, after taking credit for an unexpected sum of 200,000 *l.* to be paid to them for the use of the embankment by a metropolitan railway company, the actual cost of the whole undertaking will not be less than 1,973,510 *l.*, nearly double the estimate laid before Parliament.

"16. In 1863 an Act, promoted by the Metropolitan Board, was passed for the construction of a new street in connection with the embankment from Blackfriars to the Mansion House in the City of London, which was estimated to cost 1,000,000 *l.* sterling. The Board having proceeded to carry this Act into effect, have already expended the sum of 643,175 *l.* 14 *s.* 4 *d.* But it now appears from the revised estimates, that, after taking credit for the resale of the surplus property which it will be necessary to acquire, the cost will be about 1,299,260 *l.*

"17. Another Act, promoted by Her Majesty's Chief Commissioner of Works, was passed in 1864 for the construction, by the Metropolitan Board, of an embankment on the south side of the Thames from Westminster Bridge, with approaches, at an estimated cost of 480,000 *l.* This work has also been commenced by the Board, but it is now estimated that it will not be completed for less than 909,000 *l.*, or nearly twice the estimated cost.

"18. For some years previous to the establishment of the Metropolitan Board of Works, the Corporation of London had been authorised to levy duties to the extent of 1 *s.* 1 *d.* on coals, culm, and cinders brought to any place within the Port of London, or within the Cities of London and Westminster, or the Borough of Southwark, or to any place within the distance of 20 miles from the General Post Office, in the City of London, by any railway constructed, or thereafter to be constructed, or by inland navigation, or any other means of conveyance; and also a duty of 4 *s.* a tun upon all sorts of wine which should be imported into the Port of London by way of merchandise. The wine duties, and 9 *d.* per ton on the coal duties, had been specifically appropriated by Parliament to the payment of the cost of the approaches to London Bridge and other improvements and public works sanctioned by Parliament for the benefit of the metropolis. The Corporation of London had been allowed to dispose of the remaining duty of 4 *d.* a ton for such purposes as it deemed fit, under the circumstances hereinafter stated.

"19. But

"19. But the objects for which the duty of 8 *d.* a ton, and the wine duty, had been levied, having been satisfied in 1861, an Act was then passed by which the coal and wine duties were continued until the 5th of July 1872, but it was provided that the coal dues should only be levied on coal, culm, or cinders brought by vessels into the Port of London to the westward of Gravesend, within the limits of the Metropolitan Police District, and brought by railway or otherwise within the limits of that district, instead of a radius of 20 miles from the Post Office, subject to a drawback on all coals, culm, and cinders, conveyed out of the limits prescribed for the collection of the duty. The duty of 9 *d.* a ton on coals and the wine duties were directed by the Act to be paid, after satisfying all existing charges thereon, to an account to be opened, in the name of the Lords Commissioners of Her Majesty's Treasury, at the Bank of England, to be intituled 'The Thames Embankment and Metropolitan Improvement Fund.' Such fund was to be applied to the improvement of the metropolis in such manner as might thereafter be determined by Parliament.

"20. The duty of 4 *d.* was directed to be applied by the Corporation of London in the first instance in payment of the interest, and in discharge of the principal of the following sums raised by the Corporation, and charged by them upon that duty, viz., 300,000 *l.*, 200,000 *l.*, and 40,000 *l.* for the purpose of improving Cannon-street and effecting other improvements in the City; and an account of the receipt and application of the duty was to be kept separate and distinct from the accounts of the Corporation, and an abstract of the account was to be annually laid before Parliament; and after discharging the above sums and interest, the duty of 4 *d.* was directed to be applied by the Corporation towards or in aid of such a public improvement or improvements in or adjacent to the City of London as Parliament should thereafter sanction.

"21. By an Act passed in 1863, the coal and wine duties were continued until the 5th of July 1882, and the proceeds were appropriated in the manner provided in the previous Act.

"22. The coal duties of 9 *d.* a ton and the wine duties, have been charged by Parliament with the sum of 2,000,000 *l.* for the embankment on the north side of the Thames and the street in continuation to the Mansion House, and with the sum of 460,000 *l.* for the embankment on the south side of the Thames, making together 2,460,000 *l.* which the Metropolitan Board is empowered to borrow for these objects. The Board has already borrowed the sum of 800,000 *l.* and the remaining sum of 1,600,000 *l.* remains to be raised for the purpose of proceeding with the works; but inasmuch as the present estimate for their completion exceeds the original estimate by the sum of 973,510 *l.* for the northern embankment, 299,260 *l.* for the street, and 429,000 *l.* for the southern embankment, making together an excess of 1,701,770 *l.*, it will be necessary for the Board to borrow that amount in addition to the loans of 2,460,000 *l.* already sanctioned, to complete these improvements.

"23. The 9 *d.* coal dues and the wines dues have produced, under the Act of 1861, the following net amounts:

	£.	*s.*	*d.*
Surplus of London Bridge Approaches Fund - -	137,992	18	1
From 22d July to the end of 1861 - - - -	81,277	1	–
1862 - - - - - - - - - - -	162,222	13	4
1863 - - - - - - - - - - -	175,868	14	9
1864 - - - - - - - - - - -	182,775	–	11
1865 - - - - - - - - - - -	195,677	3	11
TOTAL - - - £.	935,793	17	–

"24. The value of these dues, computed at 187,000 *l.* a year on the 25th of September last, for the period already mentioned, interest being allowed at 3¾ per cent., was estimated at 2,300,000 *l.*, an amount with the proceeds already received more than sufficient to meet the balance of the loans charged thereon.

"25. The Metropolitan Board has also carried out other important street improvements under special Acts of Parliament as follows:

"An improved thoroughfare from Westminster to London Bridge, called 'Southwark street,' at a cost of 596,706 *l.* 19 *s.* 1 *d.*

"An approach from Cranbourn-street to Covent Garden, called 'Garrick-street,' at a cost of 125,446 *l.* 1 *s.* 9 *d.*, and an approach from Poplar to Victoria Park, at a cost of 43,480 *l.* 17 *s.* 5 *d.*

"26. The expense of these improvements has been partly defrayed by loans amounting to 442,000 *l.* raised by the Board, and charged on the rate for general purposes, levied by it on the metropolis. The residue has been paid out of special funds placed at its disposal for the purposes, as well as by its rate for general purposes.

"27. The Board has also undertaken two other street improvements, which have received the sanction of Parliament; one for the construction of a thoroughfare from Whitechapel

to the Commercial-road, at an estimated cost of 175,000 *l.*, and the other for clearing away Middle-row, Holborn, at an estimated cost of 61,000 *l.*

"28. The Board has likewise taken steps to fulfil the duty imposed upon it of providing parks for the recreation of the inhabitants of the metropolis, by obtaining an Act for the creation of a park on the north side of Islington, to be called "Finsbury Park," for which the Board has purchased the land at an expense of 59,567 *l.* 10 *s.* 5 *d.*; and another Act for a park in the neighbourhood of Bermondsey, for which the Board has also purchased the land at an expense of 59,271 *l.* 14 *s.* 4 *d.* Of this expenditure 110,000 *l.* has been defrayed by loans raised by the Board and charged upon the rate for general purposes levied by it on the metropolis, and the rest has been paid out of the annual proceeds of that rate. It is, however, anticipated that the cost of converting the lands purchased into parks will be covered by the sale of some of the surplus land, so that no additional charge will be incurred to complete these undertakings.

"29. In addition to the works above enumerated the Board has covered over and otherwise improved numerous important sewers, upon which the Board will have expended from its institution to the end of 1866 the sum of 380,166 *l.* 5 *s.* 10 *d.*

"30. The Board has also contributed several sums annually towards improvements, partly of a public and partly of a local character, effected by the City of London and the vestries and local Boards in the metropolis, under arrangements entered into with them, for the most part, on the basis of the Board bearing one-third and the local authority two-thirds of the whole expense. These contributions have also been defrayed out of the general purposes rate levied by the Board, and will amount, at the close of this present year, to 87,960 *l.* 19 *s.* 4 *d.*

"31. The other expenses of the Board since it was constituted, computed to the end of 1866 to be defrayed out of the general rate, may be enumerated as follows:—

	£.	*s.*	*d.*
Establishments, including compensation to late officers -	237,839	14	10
Repayment of loans and interest on mortgages, debts of late Metropolitan Commissioners of Sewers - -	287,336	17	6
Repayment of loans raised by the Board, and interest -	351,866	3	4
Expenses under the Sale of Gas Acts since 1862 - -	13,080	–	–
Expenses under the Houseless Poor Acts for 1865 -	17,000	–	–
Special Parliamentary charges - - - - -	7,313	13	1
Incidental sewage works, and additional contributions to improvements - - - - - - -	20,000	–	–

"32. It appears from the account of this expenditure in detail, printed in the Appendix No. 2, that the annual outlay of the Metropolitan Board progressively increased from 94,431 *l.* 6 *s.* 11 *d.* in 1856 to 148,001 *l.* 6 *s.* 4 *d.* in 1865, whilst the expenditure for the present year is estimated at 178,309 *l.* 13 *s.* 10 *d.*, to which is to be added a further charge of 30,822 *l.* 12 *s.* 3 *d.* for the maintenance of the Metropolitan Fire Brigade, and an unascertained sum for the cattle plague. The rateable annual value of the metropolis, on the basis of the assessment for the consolidated rate in the City of London, and for the county rate for the rest of the metropolis, has, however, increased during the same period from 11,283,663 *l.* to 14,524,542 *l.* in the present year; so that a rate of a 1 *d.* in the pound, which in the former year produced only 47,315 *l.* 5 *s.* 3 *d.*, now yields the sum of 60,518 *l.* 18 *s.* 6 *d.* Though this has in some measure diminished the burthen of the incidence of the expenditure of the Metropolitan Board on individual ratepayers, it is apparent that the expenditure has increased in a much greater ratio than the assessable value of the metropolis, and the rate levied by the Metropolitan Board for general purposes now exceeds 3 *d.* in the pound in addition to the special rate of the same amount for the main drainage, making a total rate exceeding 6 *d.* in the pound.

"33. The Metropolitan Board, however, not satisfied with this expenditure, have introduced into Parliament in the present Session, in addition to the Bill already noticed for improving the approaches to the Thames Embankment, at an additional cost of 270,000 *l.*, other Bills for effecting further improvements:

1. For an embankment of the Thames at Chelsea, with approaches, at an estimated cost of 206,000 *l.*

3. For the widening of the southern end of Park-lane, at an estimated cost of 105,000 *l.*

3. For the widening of High-street, Kensington, at an estimated cost of 88,000 *l.*

So that the whole improvements contemplated in the present Session would cost the sum of 669,000 *l.* But the Board have declared their inability to defray this estimated expenditure out of their general rate, and they have therefore only proceeded with the Bills conditionally upon Parliament providing them with the requisite funds from some other source.

"34. The Chairman of the Metropolitan Board has suggested that the most expedient mode of raising the requisite funds would be to continue the coal and wine dues for a longer period, and to authorise the Board to borrow the amount, to be repaid out of the duty after the present charges thereon have been satisfied. And in case this should not be

be acceded to, then that the amount should be charged on a rate to be levied on the owners of property in the metropolis. The reasons for his views are fully set forth in his evidence accompany this report.

"32. But before entering further into this question, it is necessary to notice a representation made to the Committee on behalf of the Corporation of London with respect to the duty of 4 *d.* a ton on coals.

"36. The Corporation of London in 1864 obtained the sanction of Parliament to effect the long desired improvement of raising the thoroughfare over Holborn Valley, with two lateral streets on the northern side of the viaduct, at an estimated net cost of 483,196 *l.* To meet this, the Corporation was empowered to borrow the sum of 600,000 *l.* on the security of the 4 *d.* coal duties. Having proceeded to carry out this improvement, the Corporation now estimates the net cost, owing to the rise in the value of property in the City of London, at 586,000 *l.*, being an addition of 102,814 *l.*, which contrasts very favourably with the proceedings of the Metropolitan Board. The fund already provided by Parliament will still be sufficient to cover this increased expenditure.

"37. The Corporation, however, are desirous of undertaking other improvements in the neighbourhood of Holborn Valley, the net estimated cost of which would be 429,000 *l.*; and they are also desirous of having the 4 *d.* Coal Tax continued for such further time as would enable them to raise the additional capital for the purposes on the credit of the dues. These improvements it has been represented to your Committee, on behalf of the Corporation, are not strictly of a metropolitan character but of a local character, which might be dealt with, on the principles previously explained, by the expense of them being borne partly by the district interested in them, which in that case would be the City of London, and partly by a contribution from the Metropolitan Board out of its rate for general purposes to be borne by the whole metropolis, which your Committee regard as a very reasonable and just arrangement; but if, on the other hand, these improvements were to be deemed metropolitan improvements, your Committee see no reason why the City of London should be burthened with them, and they ought therefore to be placed upon the same footing as any other metropolitan improvement, and be carried out on the responsibility of the whole metropolis through its constituted Board.

"38. It has been suggested on behalf of the Corporation, that if the present coal dues be suffered to expire the Corporation would claim to levy metage dues for its own benefit; but it is sufficient now to recall the attention of the House to the following facts reported by the Committee appointed in 1861 to inquire into the Local Taxation of the Metropolis:

"With regard to the impost of 4 *d.* a ton, your Committee find that the City exercised the right of appointing coalmeters, for the purpose of weighing or measuring all coal imported into the Port of London, or water of Thames, under their conservancy, and that the coalmeters paid to the City an annual sum of 80 *l.* a year each, from the earliest times of which the Corporation have any accounts until the year 1785. This fact was especially brought under the notice of the House of Commons in the year 1692, when the City of London laid before the House a statement of its revenues which, as respects the metage of coal, is as follows:—

> "'The City's four coalmeters' places, at 80 *l.* per annum each, 320 *l.*
>
> "'The rent of 10 coalmeters' places, of 80 *l.* per annum for each of them, have, time out of mind, belonged to the Lord Mayor for the time being, for the maintenance of several tables for above 30 officers, bound to constant attendance at the Lord Mayor's house about the affairs of this City; and the said rents were never paid to the chamber, nor esteemed part of the public revenue of the body corporate.'

"The coalmeters received a sum of 4 *d.* a chaldron for measuring the coal, for which they performed that duty and defrayed its incidental expenses.

"From the year 1785 to the year 1830 the Corporation of London gradually effected the important change of receiving the metage duties itself, and paying certain sums to the coalmeters, instead of receiving from them the fixed annual payment of 80 *l.* a year. The revenue thus obtained by the Corporation in the year 1829 amounted to the sum of 26,559 *l.* 13 *s.* 10 *d.*, subject to the payment of 6,639 *l.* 18 *s.* 5 *d.* to the deputy meters, and 2,860 *l.* 1 *s.* 1 *d.* for charges and expenses of metage, making a deduction of 9,499 *l.* 19 *s.* 6 *d.*, or about 36 per cent. on their receipts, which were thus reduced to the net sum of 15,059 *l.* 18 *s.* 11 *d.* in the year.

"But at that period the various charges then levied upon coals having engaged the attention of Parliament, an Act was passed, in 1831, for a period of seven years, abolishing the system of metage, and providing that the duties on coal should be levied by the ton weight, which was about four-fifths of the chaldron. By another statute, passed in 1845, it was enacted that the duties should be levied within the area defined by a radius of 20 miles from the Post Office. These Acts, with slight modifications, have been continued until the present time.

"The City of London having thus been permitted to receive the duty of 4 *d.* a ton on that basis, the claim to levy 4 *d.* a chaldron, subject to a deduction of 36 per cent., in the Port of London, and river under their conservancy, was converted into a power to receive 4 *d.* on four-fifths of a chaldron, without being subject to any deduction (except some payments for expiring pensions), on all coal brought both by land and by sea, within 20 miles of London. The duty of 4 *d.* by these means, as well as by the growth of

population, increased to 74,824 *l.* in the past year. Hence it is apparent that whilst in the year 1785 the City received only 1,120 *l.*, and in the year 1829 the sum of 15,059 *l.* for superintending the discharge of important duties by the coalmeters of London, it now receives 74,824 *l.*, without rendering in return any service whatever in relation to the trade in coal. Your Committee, however, deem it unnecessary to pursue this subject further, as the House has just passed a Bill to appropriate the duty of 4 *d.*, which it has continued for 10 years; first, for the payment of certain debts incurred in effecting public improvements; and, secondly, in aid of future public improvements in and adjacent to the City of London.

"Your Committee also think it unnecessary to report specially on the remaining duties of 8 *d*, and 1 *d.*, as they have also been continued by the same Bill for the further term of 10 years, and have been appropriated for the construction of the Thames Embankment, and for other metropolitan improvements."

"39. Your Committee are therefore of opinion that it will be time enough to consider what course Parliament should adopt, on grounds of equity and policy, respecting any claim of the Corporation to metage dues, whenever the exact extent and legal nature of the rights, if any, of the Corporation to levy such dues are ascertained and defined by the decision of a competent court of justice. This claim, therefore, does not affect the question of prolonging the coal and wine duties, levied by statute, beyond the period now prescribed for their continuance.

"40. If any guarantee could be given that the ordinary annual expenditure of the Metropolitan Board could be greatly reduced, or that its demands for funds, which it avers its inability to raise out of the resources placed by Parliament at its disposal for local purposes, your Committee might deal with the present wants of the Metropolitan Board, as they have been hitherto treated, by some mere expedient for the occasion; but the Board has submitted to your Committee a schedule of works deemed by it necessary for the improvement of the metropolis, which would cost several millions sterling; and having regard to the progressively increasing charge on the metropolis for the general purposes of the Board, and to the growing demands of the community for every kind of improvement, not merely to correct all the defects and neglects of centuries in the management of local affairs, but to satisfy the requirements of a daily increasing desire for greater convenience, and even adornment of the metropolis, your Committee are of opinion that the time has arrived when it is necessary to deal with the subject in a more comprehensive and permanent manner.

"41. If the metropolis were merely a place of residence, without productive industry or commerce, the coal and wine dues might be regarded as an indirect house tax; but as the metropolis is not only one of the largest seats of commerce, but is also one of the greatest places of productive industry in the country, the coal tax, which is not now applied to any purposes connected with the Port of London, presses with peculiar injustice upon many branches of industry, and more particularly on those which are referred to competition, both with the internal manufactures in the north of England, and the manufactures of the opposite shores of France and Belgium; such, for example, as manufactures in iron and other metals, the refining of sugar, and the making of paper. An establishment for iron ship building pays no less than 3,000 *l.* a year, and another for making paper returns 500 *l.* or 600 *l.* a year in coal duties. Other occupations also in which any process of boiling is carried on, such as brewers and distillers, or in which steam engines are used, such as printers, are no less heavily taxed on their industry, but all these persons not only pay the tax on coal consumed in their dwellings, if within the limits of charge, but also the same rates as other persons, both on their dwelling-houses and on the premises in which their business is carried on; if therefore the taxation of the gross products of industry could be justified, there is no reason why it should be made to fall on certain classes only, but it should be imposed on all industry alike. Your Committee, however, considering that such a system of taxation is generally admitted to be altogether unjust and impolitic, and is entirely repugnant to the whole course of legislation for many years past, are of opinion that if the coal tax were to be regarded as a permanent source of revenue, it would be necessary to allow a drawback in favour of all coal used for the purposes of industry or trade; but they are informed by an officer of the Corporation of London, that a large body of evidence could be produced, to show that such a system of drawbacks is impracticable, and that the tax must either be levied as at present or abolished. It further appears to your Committee that the practice of allowing the Metropolitan Board to embark in expenditure to be charged on indirect taxation, tends to deprive the inhabitants of the metropolis of the chief security for the due administration of their affairs, by destroying the direct and immediate relation between the expenditure of the Board, and the rates which it would otherwise be compelled to impose, a responsibility which is now so deeply felt by the Board, that whilst it manifests great readiness to incur expenditure, it is equally unwilling to levy any rates for the purpose, and desires to impose upon the Government and Parliament the duty and odium of providing it with the requisite funds.

"42. It has been already shown with what little regard to accuracy works charged upon the coal and wine duties have been proposed, but this would only be encouraged by a continuance of the system of withdrawing expenditure from observation, and the evil would be still further agravated by the proposal of the Metropolitan Board to raise loans for works

works and to defer any payment on acccount of them to a distant day. Your Committee therefore recommend that no further charges should be imposed on the coal and wine duties, but that they should be permitted to expire, as soon as the present charges on them have been satisfied. The best security for an economic and reasonable expenditure, which seems, indeed, to be the only limit which can be imposed on the desire to improve or adorn the metropolis, and to provide for the convenience or comfort of its inhabitants, is the charge which the inhabitants or owners of property are content to bear; your Committee therefore deem it necessary to consider the present state of the direct taxation of the metropolis.

"43. The annual rateable value of tne metropolis, deduced from the asessments for the consolidated rate in the City of London, and for the county rate on the rest of the metropolis, has increased from 11,283,663 *l.* in 1860 to 14,794,854 *l.* in the present year, of which the details are set forth in the Appendix No. 2. But as the asessment for the county rate is only revised at intervals of two or more years, it appears that whilst it is generally higher than that for the poor rate, in several parishes in the metropolis it is, in fact, lower; and if the county rate were corrected in these cases, the whole rateable value would exceed 15,300,000 *l.* Even this cannot be accepted as the true rateable value; for it is the interest of large parishes, which are unions in themselves, to make their rateable valne bear as low a proportion as possible to their actual rental, by which their contributions to county and other rates may be influenced; and though in parishes forming unions under the Parochial Assessment Act, the committees of assessment are interested in assessing every parish in the union on a uniform basis, they have a common interest, the same as the large parishes, in keeping the basis as low as possible; and notwithstanding all the property in the metropolis is subject to four separate assessments—for the poor rate, the county rate, the police rate, and the income tax, and houses above 20 *l.* to a fifth for the house duty,—there are no means of ascertaining the real rack-rental of property, or of deducing from it a just and full assessment upon a uniform basis. There is reason to believe, if this could be accomplished, the rateable value of several of the parishes would be considerably increased, for it appears that whilst the City of London, for example, is assessed for contribution to the metropolitan rates at 1,666,006 *l.*, its rateable value is 1,920,582 *l.*, and its estimated rental is above 2,303,164 *l.*; but your Committee defer any suggestions for this purpose until they have inquired into the local management of the metropolis. They therefore now only deal with the present rateable value, on which the Metropolitan Board is required by law to levy its rates.

"44. The whole charge for the local affairs of the metropolis may be grouped under the following heads:—

For the Year 1864:	£. s. d.	£. s. d.	Rate in the £. s. d.
Charge of the Metropolitan Board Main Drainage - - - - - -	180,262 12 9		
General purposes and County Rates -	163,826 17 2		
	344,089 9 11	344,089 9 11	
Charges for paving, watching, lighting and other duties of Local Government by the City Authorities, Vestry and District Boards - - - - - - -	996,586 11 1	- - -	1 2
		1,240,676 - 1	1 8
Poor Rates, including all Charges collected therewith, except Police Rate -	1,212,971 - 9	- - -	1 7
Police Rate - - - - - - -	331,204 17 9	- - -	- 6
		1,544,175 18 6	2 1
	£.	2,784,851 19 6	3 9

"45. It appears, however, from the table in Appendix No. 6, that whilst the average rate is 3 *s.* 4 *d.*, the charges on the districts where the most wealthy classes are congregated together is much below the average, as, for example, in the following places:—

	Highest Rateable Value for County or Poor Rate.	Expenditure.	Rate in the £.
	£.	£. s. d.	s. d.
St. Georges's, Hanover-square - - -	1,076,272	114,764 14 11	2 1
Paddington - - - - - - -	758,344	88,594 7 11	2 4
Kensington - - - - - - -	590,711	74,438 3 7	2 6
St. Margaret's and St. John's, Westminster -	441,673	57,033 17 3	2 7

"But in the districts where the working classes, and others who live by their industry, are congregated, this charge is much above the average, as shown in the following examples:—

	Highest Rateable Value for County or Poor Rate.	Expenditure.	Rate in the £.
	£.	£. s. d.	s. d.
St. George-the-Martyr, Southwark - -	149,347	50,180 11 –	6 9
Woolwich - - - - - -	83,000	26,773 – –	6 5
Whitechapel District - - - -	279,060	76,607 7 2	5 6
Limehouse District - - - - -	234,608	63,449 4 7	5 5

"46. So heavy has the charge of local taxation become in the less wealthy districts, that the Metropolitan Board is of opinion that direct taxation on the occupiers of property there has reached its utmost limits. This is perhaps more keenly felt, from the fact that whilst the burthens which produce inequality are placed upon districts locally, those which have been incurred for the benefit of the more wealthy districts, and which, if they had been also localised, would have tended to redress the inequality, have been made general. The comparative extent of the expenditure which has been and will be incurred for improvements on the east and west sides of the centre of London is as follows:—

	£.
"For the Western part of the Metropolis:	
Approaches from the west to the City, and London Bridge, Thames Embankment; a street to the Mansion-house, and Southwark-street, Garrick-street, Middle-row, Holborn, Holborn-valley Viaduct, costing - - - - -	4,371,922
Contemplated improvements this Session: Northern Embankment Approaches; Chelsea Embankment; Hyde Park-lane, High-street, Kensington; to cost - -	663,000
"For the Eastern part of the Metropolis:	
Victoria Park approach, Whitechapel-street, Finsbury Park, and Southwark Park, at a cost of - - - -	339,268

"47. It is, however, apparent that if the local taxation of the metropolis were more equable, and the heaviest burthens were not cast on those least able to bear them, and the lightest on those most able, a much greater revenue could be raised from direct taxation; for if the inhabitants of such districts as St. George-the-Martyr or Whitechapel have paid rates ranging from 6 *s.* 9 *d.* to 5 *s.* 6 *d.* in the pound, it is obvious that the inhabitants of St. George's, Hanover-square, Paddington, Kensington, and St. Margaret's and St. John's, Westminster, could more easily bear rates to the same extent. A rate of 4 *s.* in the pound over the metropolis, for all the purposes of local government, would yield an additional revenue of 181,768 *l.*; your Committee are therefore of opinion that the most obvious mode of providing funds for all local purposes would be found in a nearer approach to the equalisation of local burthens on the metropolis; but as this involves not merely the charges imposed by the Metropolitan Board, but the charges for the administration of the Poor Law, it would carry them beyond the scope of their present inquiry; they therefore content themselves with recommending the subject to the serious consideration of Her Majesty's Government, and as nearly all the Members of both Houses of the Legislature, fortunately, reside in those districts which at present bear so small a proportion of local taxation, it should not be doubted that any measure for equalising local burthens would receive the most favourable consideration from Parliament.

"48. It remains to be considered whether the expenditure of the Metropolitan Board is of such a nature as that it would be just and reasonable to depart from the ordinary practice of imposing local burthens on the occupants of property for the year in which the rate is made. It will be observed from the foregoing account of the proceedings of the Metropolitan Board that nearly the whole of its expenditure and obligations have been incurred for the purpose of supplying wants arising from the neglects and errors of past mismanagement of the affairs of the metropolis, and of effecting permanent improvements, which have tended to increase the value of property in the metropolis; that the works undertaken are of such magnitude that the charges for them have been extended by Parliament over many years, and that their effect will be felt long after all the charges have been defrayed; that the whole of this expenditure is of a novel character resulting from special legislation, imposing new and unforeseen burthens. In similar cases, such, for example, as the Irish Poor Law, as well as in the most recent case of the cattle plague, one moiety of the charge has been imposed upon the occupiers, and the other on the owners of property. Your Committee are therefore of opinion that it

it is peculiarly just in this case that one moiety of all the charges incurred by the Metropolitan Board should be borne by the owners, and the other by the occupiers of property within the metropolis, the rate being, in the first instance, paid by the occupier, and subsequently deducted from his rent, as is now provided in regard to the general property tax. Your Committee further recommend that all expenditure of the Metropolitan Board should be paid out of the rate levied by it for general purposes, and that whenever improvements or other works undertaken by it are of magnitude, and of a permanent character, the charge for them should be defrayed, in the first instance, by loans, to be raised by the Board on the security of its rate; and that the loans should be repaid by equal annual instalments, spread over a number of years proportionate to their amounts, and that the first instalment of the loans should be levied within the year in which the expenditure is commenced.

"49. In making these recommendations, your Committee deem it right to add, in conclusion, that in prosecuting their inquiry into the best means of improving the local government of the metropolis, they will not fail to consider the expediency of conferring upon the owners of property, who have so great an interest in its permament welfare, the power of being represented in the Metropolitan Board of Works, which may not only guard them against any undue expenditure, but may also tend to elevate the character and increase the sphere of usefulness of the Board."

Motion made and question, "That the Report be now read a second time, and considered paragraph by paragraph,"—put, and *agreed to.*

Paragraphs 1 to 17 amended, and *agreed to.*

Paragraph 18, *postponed.*

Paragraphs 19 to 33 amended, and *agreed to.*

Paragraph 34, *postponed.*

Paragraphs 35, 36, 37, and 38, *agreed to.*

Paragraph 39, *agreed to.*

Paragraph 40, *agreed to.*

Paragraph 41: Amendment proposed, to leave out the words "If the metropolis," in line 1 of paragraph 41, in order to insert the following:—

"Your Committee cannot but attach great weight to the opinion thus expressed by the representatives of the Metropolitan Board and the Corporation of the City of London, and although evidence has been given by some witnesses as to the unfair incidence of the tax upon their particular trades, your Committee have no reason to believe that the existence of the coal and wine duties has exercised a prejudicial effect upon any of the industries alleged to suffer by their imposition.

"It is, further, in the judgment of your Committee no slight recommendation of these duties, that they are easily and economically collected, are already allocated by Act of Parliament for a term of 16¼ years, to defray the cost of the several improvements above enumerated, and, having endured for a long period of time, do not excite the hostility which a new tax is likely to incur. Your Committee are therefore of opinion, that should the works already referred to another Committee be sanctioned by it, the coal and wine duties might beneficially be continued for a further limited period"—(Lord *J. Manners*)—instead thereof.

Question, "That the words proposed to be left out stand part of the paragraph.—The Committee divided:—

Ayes, 4.	Noes, 6.
Mr. Bazley.	Mr. Tite.
Mr. Baring.	Mr. Alderman Lawrence.
Mr. Mill.	Sir M. W. Ridley.
Mr. Locke.	Mr. Sandford.
	Lord J. Manners.
	Mr. Kekewich.

Words inserted,—Paragraph, as amended, *agreed to.*

Question, That Paragraph 42 stand part of the proposed Report,—put, and *negatived.*

Paragraphs 43, 44, 45, 46, 47, 48, amended, and *agreed to.*

Mr. *Fry* attended, and produced a paper containing a statement in reference to his answer to Question 1096.

[Adjourned till Monday next, at Twelve o'clock.

Monday, 16*th April* 1866.

MEMBERS PRESENT:

Mr. AYRTON, in the Chair.

Sir Wm. Gallwey.	Mr. Kekewich.
Mr. Bazley.	Mr. Turner.
Mr. Alderman Lawrence.	Mr. Mill.
Mr. Tite.	Mr. Beecroft.
Mr. Baring.	Sir M. W. Ridley.

Mr. *Horace Watson*, examined.

Postponed paragraphs of Draft Report considered, and *agreed to*.

Question, That this Report, as agreed to, be the first Report of the Committee to the House,—put, and *agreed to*.

Ordered,—To report, together with Minutes of Evidence.

[Adjourned till Thursday next, at Twelve o'clock.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

Monday, 12*th March* 1866.

MEMBERS PRESENT:

Mr. Ayrton.
Sir William Gallwey.
Mr. Hanbury.
Mr. Kekewich.
Mr. Alderman Lawrence.
Mr. Locke.
Mr. Mill.
Sir Matthew White Ridley.
Mr. Sandford.
Mr. Tite.
Mr. Turner.

ACTON SMEE AYRTON, Esq., in the Chair.

Sir John Thwaites, called in; and Examined.

Sir *J. Thwaites.*
12 March 1866.

1. *Chairman.*] You are the Chairman of the Metropolitan Board of Works?—I am.

2. In what year was the Board organised for the commencement of business? — December 1855.

3. What were the chief purposes for which the Board was established; what were the chief duties imposed upon it?—The duties were general. The special duties were those of the main drainage of the metropolis, and general street improvement.

4. Will you state shortly what steps were taken, on the establishment of the Board, to carry out the main drainage, and what was the plan which was finally adopted?—The Board took steps, immediately after its first organisation, to deliberate on a plan for the main drainage of the metropolis. The Committee are aware that at the time the Metropolis Local Management Act was passed there was some doubt as to the discretion of a representative institution, and we were not permitted to carry out any plan which we in our judgment might deem sufficient for the purpose, and without its receiving the sanction of the First Commissioner for Works. We presented, I think, three plans to the Commissioners of Works, none of which were approved.

5. Without going into the details of your communications with the Chief Commissioner of Works, will you state what was the plan which was finally arrived at by the Metropolitan Board?—In 1858, during the time of Lord Derby's Government, a Bill was brought in for the purpose of releasing the Board from the obligation of presenting their plan to the First Commissioner, thus removing all veto from the action of the Board, and at the same time giving us power to raise the necessary funds, which, up to that time, we had no power to do, except a general power to rate. Within a week from the passing of that Act we determined on a plan, and immediately commenced to take steps for the purpose of inviting tenders, and from that time up to the present we have been going on developing that scheme and perfecting it.

6. Will you explain shortly what was the plan which was finally adopted?—The plan adopted was a plan, generally, to intercept all the sewage up to that time flowing into the Thames, and to carry it to a distance, and to discharge it at such a condition of tide as should take it still further out some 12 miles, so as not to return and become a nuisance to the metropolis.

7. The interception was on the north side, by three main sewers, the upper, the middle, and the lower?—Yes, with branches, of course.

8. On the south side what was it?—On the south side there were two main sewers, the upper and the lower, with branches to take that part of the main sewage which could not be commanded by the main drains.

9. What was the estimate for the whole works on which the Board commenced the works?—The first estimate, I believe, was about 2,500,000*l.* There was then some considerable extension, and we had power, under the Act of 1858, to raise 3,000,000*l.* with the Government guarantee.

10. Was that to take the sewage down to the points on the two sides of the river?—Yes; Barking Creek on the one side, and Crossness on the other.

11. Has the Board since then been proceeding with the works as adopted?—We have.

12. How much of the works are now completed?—Practically the whole of the work is completed except the low level sewer, a part of which must pass under the Thames Embankment to Abbey Mills.

13. That is the low level sewer on the north side?—Yes.

14. Where will the low level sewer, which is

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incomplete, begin and end?—In the west, at Cremorne; it will discharge into the culvert already constructed at the Abbey Mills.

15. That is on the River Lea?—Yes.

16. How much has the Board expended upon the completion of the main drainage as far as the work is finished?—The amount borrowed under the powers of the Main Drainage Act was 3,600,000 *l.*

17. When did the Board obtain further powers to raise money in addition to the 3,000,000 *l.*?—I am not quite sure, but I think that it was in 1862.

18. What was the amount which they were then authorised to raise?—£. 1,200,000. I may observe here, as the cost of the works will appear to exceed the estimate, that, in the first place, several additional works were added to the original estimate; and secondly, there was a rapid increase in the price of material and labour, which item alone, in the calculation which we made, would exceed 900,000 *l.*

19. I think that you have delivered a statement to the Chancellor of the Exchequer in detail of that increase of expenditure?—I have. The amount already expended for main drainage purposes is 3,583,761 *l.* 9 *s.* 3 *d.*

20. Up to what date is that account made?—I suppose, up to the present month, the money in hand on that account is 28,991 *l.* 9 *s.* 11 *d.*, and the borrowing powers of the Board are 4,200,000 *l.*

21. Have any estimates been made of the cost of the north lower level sewer?—Yes; we have the cost of each.

22. Has that work been put in hand yet?—Not the low level; a part of it is now in course of construction.

23. What is the estimate of the cost of that main drain?—

24. Has the contract which you have made for the unfinished work been within the estimate, or beyond it?—I think that it is very near the estimate of the engineer; indeed most of the tenders have been so.

25. Do you suppose that the lower drain will be completed within the estimate?—I hope so; I hope that the whole will be completed for the 4,200,000 *l.* The amount borrowed was 3,600,000 *l.* The returns received are 13,550 *l.* 8 *s.*; that is part for interest, and part for land resold, not required for the purposes of the sewers. The estimate to complete is 616,238 *l.* 10 *s.* 9 *d.*

26. That is for balances lying in the bank?—Yes.

27. What was the amount of the rate which you were authorised to impose, in order to reimburse this expenditure to the Board?—Threepence in the pound for a period of 40 years.

28. What did that produce in the first year of the rate being levied?—I think that it produced in the first year 153,000 *l.* The calculation at the time for the year 1858, leaving a small margin, was that a 3 *d.* rate for 40 years would be sufficient to extinguish the principal and interest of the 3,000,000 *l.* borrowed. The rateable property in the metropolis has increased so largely, that when the Board applied to the Government for the additional 1,200,000 *l.* the calculation on the same basis was made, that not only the 3,000,000 *l.*, but the additional 1,200,000 *l.* would be paid off in less than 38 years; and I have no doubt that the whole sum will be paid off at a very much earlier date than what I have named.

29. What is the present produce of the 3 *d.* rate; what was the income derived from it last year?—A 1 *d.* rate on the rental of 14,524,542 *l.*, which is the present rateable property of the metropolis, will produce 60,518 *l.* 18 *s.* 6 *d.*; that multiplied by three, will give you the amount; it will be 181,000 *l.* or 182,000 *l.*

30. Is that the produce of the rate upon the corrected assessable value under the Act recently passed, or is it upon the assessable value previously to that Act?—It is on the present rateable property of the metropolis; it is on the basis of the county rate, not on the poor's rate.

31. Are you aware whether the county rate has yet been corrected upon the basis of the assessable value of the parishes consequent upon the Act which was passed in the Session before last?—Last year the magistrates for Middlesex re-assessed that county, and we had an addition to our rateable property of something like 1,900,000 *l.* I think that the increase throughout the county, a part of which is outside our area, is something like 2,100,000 *l.*

32. Has the City of London been re-assessed to the poor's rate consequent upon that Act?—I believe that there has been a process of re-assessment going on for some time in the City. They deal with the City by separate wards, and we have, from time to time, increased amounts returned to us as the consolidated rate of the City, which we take as very much in the character of a county rate.

33. Do you know whether the consolidated rate has been assessed up to the basis of the poor's rate according to the new assessment?—I am not able to reply to that question.

34. Has your Board made any inquiry into that matter?—From time to time our attention has been called to the inequality of the rating, and that will be a very large question affecting the whole metropolis.

35. Can you state what is the present assessable value for the City for the purposes of your rate?—£. 1,410,855.

36. Taking the present assessable or rateable value of the metropolis, do you know when the debt of 4,200,000 *l.* will be discharged?—Probably in 34 or 32 years; I have not made a very accurate calculation recently. It was my impression some two years ago that, probably, that would be about the period; but that is entirely dependent upon the increased rateable property in the metropolis.

37. How much of the debt has been already discharged?—£. 3,600,000 has been borrowed, and we have paid off 800,000 *l.*

38. Then the balance of the debt at the present time, supposing you borrow what is necessary to complete the low level sewer, would be 3,400,000 *l.*?—We have borrowed 3,600,000 *l.*, and we have paid 800,000 *l.* of the principal; that would leave 2,800,000 *l.* now as an outstanding charge on that amount.

39. And you have power, in order to borrow, to complete the works, 600,000 *l.*?—Yes.

40. So that the charge at present, including what has been spent and what is to be spent, would be 3,400,000 *l.*?—Yes; the principle adopted is this: it is arranged in the Act that the produce of the 3 *d.* rate should be paid into an

an account at the Bank of England in the names of myself and Mr. Hamilton, of the Treasury. The Treasury appoint both trustees, and they have been good enough to appoint myself as the Chairman of the Board, and Mr. Hamilton as the other trustee. In July of each year we balance our account, and we ascertain the amount received upon the 3 *d.* rate; we pay the interest due for the half year, reserving a sufficient amount to pay the interest for the other half year. We then redeem just as many bonds as the condition of the account will justify; and that process having gone on from 1859 up to the present date, we have extinguished 800,000 *l.* of the original debt, and we shall go on diminishing until the whole is satisfied by the produce of the 3 *d.* rate.

41. Is this money borrowed under the guarantee of the Government?—Yes.

42. At what rate of interest?—Three and three quarters per cent.

43. Can you explain why it is necessary to pay so large an interest as 3¾ per cent. on the guarantee of the Government?—We thought ourselves rather fortunate in making that arrangement, having regard to the condition of the money market. It is to the Board a very advantageous arrangement, because the money is locked up for a series of years.

44. Is the money borrowed upon bonds, or upon terminable annuities?—Upon bonds of 10,000 *l.* each, we undertaking to break up those bonds if required by the bank into smaller amounts.

45. What is the power of the Board to redeem?—They can redeem every year.

46. Upon giving notice to the bank?—That is consistent with our arrangement. Whatever the 3 *d.* rate will produce, we can apply to redeem just as many bonds.

47. Has the whole of the money been borrowed from the Bank of England?—Yes.

48. Under a contract with the Government?—Yes.

49. Regulating the power of redemption?—Yes.

50. Was any attempt made to obtain tenders from any other banks than the Bank of England?—Yes; there was the usual process set afloat at the time, but no arrangement at all approached in advantage that of the Bank of England. It is a kind of loan, which would be unsuited to an ordinary bank, and it is a species of business which is necessarily limited to that of insurance offices; and where they are letting out their money at 4½ or 5 per cent., none of them would listen to locking it up for 30 years at 3¾ per cent.

51. In adjusting the accounts between the Low Level Drain and the Thames Embankment, what is the expenditure on account of the Low Level Sewer in connection with the Thames Embankment; is it merely the expense of making the sewer?—There is all the structural expense, and there are all the incidental expenses connected with the formation of works of that character.

52. In that case, does the main drainage contribute anything towards the formation of the Thames Embankment, or is it merely the expense of making the drain?—It is merely the expense of forming the drain within the retaining wall.

53. Mr. *Locke.*] You say that this expense has reference to the main drainage; does it include the approaches to the Embankment?—It has nothing whatever to do with the approaches.

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54. From what fund is it taken?—From a special fund provided by the Act authorising the work, and the produce of the coal dues.

55. The sums which you have been speaking of merely apply to the main drainage, and to nothing beyond it?—Quite so.

56. Mr. *Mill.*] The Embankment itself was constructed from a fund perfectly independent of the 3 *d.* rate?—Entirely.

57. What is the degree of progress made which has been in the Low Level Sewer; is it only that part connected with the embankment which has not yet been commenced, and is all the rest of the work in a tolerable degree of progress?—Yes.

58. Mr. *Kekewich.*] I believe that when the Low Level Sewer comes down to Barking Creek, it is a good deal below the level of the reservoir, is it not?—No.

59. Is it not at a level at which it is necessary to have a steam-engine?—That is at Crossness, and not at Barking; it is on the south side where you have a mechanical lift.

60. Does the estimate which you have, include the expense of that engineering power?—Yes.

61. Is the great difference between the estimate and the actual expenditure chiefly in consequence of the rise in the price of bricks?—It is first due to additional works; and, secondly, to the rise in the rate of wages; and, thirdly, to the increased rate of materials, which will include bricks and cement, and everything else.

62. Sir *William Galwey.*] Owing to the increase of rateable property, if you adhered to the original intention of paying off the rate in 30 years, a smaller rate than 3 *d.* in the pound would be sufficient?—That is fixed by the Government. A smaller rate in the pound undoubtedly would be sufficient under those circumstances.

63. Sir *Matthew White Ridley.*] Am I to understand that your powers are confined in this way; that you shall levy a rate of no more than 3 *d.* in the pound, so that you would have the option of levying a lower rate than that 3 *d.*?—No; we are tied up to a 3 *d.* rate.

64. You are directed to collect a rate of 3 *d.* in the pound?—Yes; that is the obligation.

65. Are you in a condition as a Board, to issue precepts for levying a rate of less than 3 *d.*?—No. I take it for granted that the obligation of the Board is to ascertain the county rate in the several districts, or that which is equivalent to a county rate in the special districts; and that we are bound to levy a rate of 3 *d.* in the pound upon that basis; and whether it discharges its liability five or six years before the estimated period or not, is a matter with which we have nothing whatever to do.

66. Mr. *Alderman Lawrence.*] The original plans, and the plans in fact which have been carried out by the Board, embraced a certain area for drainage. Are there districts growing up beyond that area which the present system will not drain?—Of course there are districts growing up beyond our area, and probably in some cases a part of the general water shed, but our works are designed to deal with the area under our jurisdiction, namely 117 square miles; they are designed not only to carry off the present sewage and water supply, and a portion of rainfall, but they are designed to carry off the whole

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of the sewage and water supply, and a portion of rainfall for the whole of the area when covered with houses. But if we admitted the principle of permitting the outer districts to drain into our water shed, and especially in those districts where we are obliged to employ a mechanical lift to lift all the waters discharged, it would be a great cost, and the mere rate for main drainage would not be equal to it.

67. Supposing that those out districts were directed to connect with the present system, would the present works be able and competent to take off that extra drainage?—It is a question of degree. A very small area probably might be added without much inconvenience, but if you added a very large area, and if you had to deal with a very large area added to the large water supply which always follows in the nature of things, our system would not be equal to it.

68. Then there are large districts which are being covered with houses, and which are becoming populous, which are pouring their drainage into the Thames, and which will not have that drainage prevented from flowing into the Thames by the present system of drainage?—No doubt. We have no control over any district beyond our area, and it is a matter which will require the attention of Parliament before long how far our public streams should be polluted by sewage. If we are called upon to improve our river at a cost of 4,200,000 *l.*, I think that it follows logically that Kingston and other towns should be called upon to purify their sewage, or we have a great injustice put upon us. No doubt we realise a great improvement in health by the course which has been adopted, and the result of the main drainage last year was to reduce the mortality by about 10 per cent.

69. Without going so far as Kingston, are there not districts which throw their sewage directly into the Thames, and if it becomes necessary to provide for those districts, must you not increase your means, or have in the Low Level district increased pumping power?—Of course, a small area might be attached without great inconvenience, but if you attach a large area with a very large amount of fluid to be carried off, you must increase the power of your tunnel.

70. Then am I to understand that the present Low Level Sewers are incapable of taking off the sewage arising from the districts immediately adjoining the area which is under the jurisdiction of the Metropolitan Board of Works?—In speaking of the area adjoining the Metropolitan Board of Works, I do not know whether the Honourable Member means to include Oxford, or 20 or 30 miles further up the Thames. I am quite unable to answer the question, unless the Honourable Member will be good enough to define to me what area he proposes to add. We have designed those works for our own purpose and have given to them a capacity equal to their requirements, and I do not know why the metropolitan ratepayers should be called upon to give an increased capacity to those works at a great cost in order to supply the wants of districts not rated and not at all interested, I think that it would be for those districts to deal with their own sewage by deodorisation, or utilization in some way so that it should not come into the Thames.

71. The present Main Drainage Works are calculated to take the drainage of a small additional district adjoining the works, but any large additional amount of sewage could not be taken by the present system of drainage as designed, and as at present under the control of the Metropolitan Board of Works?—There is no doubt of it.

72. Mr. *Tite.*] In point of fact, the present area is fixed arbitrarily by a certain length and a certain plan?—Yes.

73. You have provided for all that district, and you can increase it in the way which you have spoken of, but, beyond that, you are not able to provide, excepting a small amount immediately abutting upon the present district?—It is no part of our calculation. We have a sufficient margin to include the fractional amount referred to by the Honourable Member, but not beyond that.

74. The question which has been suggested by Alderman Lawrence is the real question, and is the difficulty, and I believe that a Commission has been appointed by the Queen and by the Government to go into the question of what is to become of the sewage in the valley of the Thames, and in all valleys immediately beyond what you are doing. That Commission, I believe, has applied to the Metropolitan Board for returns, and I think that there have been a great many returns upon this grave and very important question?—I believe that it is so.

75. And you await, with some anxiety, the result of that Commission?—Certainly.

76. With regard to one of the causes of excess of the estimates, is it or not due to this accident that, by the original plan of Mr. Foster, who was the original engineer, Chelsea and Cremorne, and all that low lying district, were to be deodorised, and the water, when deodorised, was to be cast into the Thames; and I believe that by a resolution of the Board, they thinking that undesirable, the whole of that drainage is brought into the Low Level Sewer?—No doubt it added to the expense of the works. It was intended to deodorise the sewage water, and to discharge the deodorised water into the Thames at Cremorne, but it was thought desirable to take the whole of the sewage down to the outfall, so as to relieve the Thames from any real or imaginary mischief.

77. Did that involve another pumping station?—Yes.

78. With all the attendant expense?—Of course; we shall have to discharge the water into the main tunnel, and therefore we are obliged to lift it.

79. Whereabouts is that?—Near Chelsea.

80. Mr. *Locke.*] Was the system of deodorising at Chelsea in the original scheme?—Yes.

81. *Chairman.*] Is it your opinion, as far as you have been able to ascertain, that the districts on the Thames beyond the metropolis, can intercept their sewage, and on a smaller scale, pump it back over the country in the same way as you contemplate in regard to the metropolitan sewage?—No doubt; it is simply a question of expense.

82. Have you taken any steps to dispose of the sewage at the outfall, or is it to continue to run into the Thames there?—As regards the north, we are under a contract to take the whole of the sewage of the northern districts.

83. What, generally, are the terms of that contract?—I think that the capital is about 2,000,000 *l.*, and the Company have a preference dividend of 5 per cent.

84. A Company has been formed?—Yes, and they have obtained statutory power to carry out the

the necessary works, and to confirm the arrangements into which they have entered. I believe that the capital is 2,000,000 *l.*, and there is a preference dividend of 5 per cent., and immediately the dividend passes beyond the 5 per cent., it is divided between the Company and the Board, until the dividend rises to 15 per cent., and then we begin to extinguish the preference 5 per cent. After that is extinguished, we divide equally the profits between the Company and the Board, whatever those profits may be.

85. Do that Company propose to carry the sewage through Essex to the sea coast, and to distribute it laterally for the purposes of irrigation, along the course of their culvert?—They propose to construct a culvert or culverts, and to distribute laterally, the sewage in its course to the Sands. What may not be disposed of to the farmers through Essex, they will utilize on the Sands, to be reclaimed by sea walls.

86. Have they raised any capital under their powers?—I believe that they have.

87. Have they taken any steps to carry out their design?—They have entered into a contract, and I believe that the works are now actually in hand.

88. Mr. *Tite.*] Do you know whether the 2,000,000 *l.* are subscribed or not?—I do not.

89. Mr. *Sandford.*] Are you quite sure that that Company is going on?—I know that they have applied to us to give possession of the land, in order that the contractor may commence his works. I presume, from that, that there is vitality in the Company.

90. *Chairman.*] Have you taken any steps towards disposing of the sewage on the south side of the Thames?—Yes; we have several tenders now under our consideration for the disposal of the southern sewage, and we hope to settle that matter in the course of the present year.

91. Have you not agreed with a Mr. Ellis, or nearly so?—Yes; subject to certain conditions. Those conditions are now under the consideration of the Board, and I hope that they may result in a final agreement.

92. Mr. *Kekewich.*] I believe that the area for rating under the Metropolitan Board of Works is larger than that for rating under any other power, is it not?—I do not know with what body you are comparing the amount.

93. I understand that there are different areas of rating for different purposes, and that the area which the Metropolitan Board of Works embraces is much larger than any other?—Our area is 117 square miles.

94. Mr. *Tite.*] Do you know the Police Rate area?—That is larger.

95. *Chairman.*] Your area of rating is co-extensive with the area of the metropolis, subject to the jurisdiction of the Metropolitan Board?—Yes; that is defined in our Act of 1856.

96. Mr. *Tite.*] But the Police Rate, in point of fact, is larger within your knowledge?—It is. I will supply a plan, if necessary. We know but one area.

97. *Chairman.*] What is the next most important work which the Board has undertaken?—Probably the Thames Embankment would be considered an important work.

98. Can you state the nature and extent of that work on the northern side of the Thames?—It is necessary for me to explain, before I give the figures, that the Thames Embankment Bill was brought in, not by our Board, but by the Commissioners of Works; it was based on a recommendation of a Royal Commission, and was not a plan recommended by our Board. The Act was handed over to us, giving the Board power to construct the Thames Embankment, and the estimates were made, not by officers of our Board, but by persons employed by the First Commissioner of Works, therefore we are not responsible for those estimates.

99. Was that Act obtained by your solicitors or by the Government solicitors, or by private solicitors employed by the Chief Commissioner of Works?—I suppose that they were Government solicitors employed by him.

100. Were they permanent officers of the Crown, or were they gentlemen employed for the occasion?—I understand that they were gentlemen employed for the occasion.

101. And were the engineers and others the permanent officers of the Crown, or were they persons specially employed by the Chief Commissioner of Works?—They were specially employed.

102. The Board was not asked to express any opinion either upon the embankment itself, or upon its approaches?—No; we had nothing whatever to do with the plan or with the approaches.

103. What was the design which was handed over to you by Act of Parliament?—It is a general design recommending a solid embankment from the Houses of Parliament down to Blackfriars Bridge, with the exception of a small portion near to the bridge facing the City of London Gas Works. It was deemed desirable not to continue the solid embankment past those works as it would interfere with the delivery of coal and other matters, and might involve the question of taking those large works, and hence the arrangement of bridging over that part and giving them an inner dock where they could float their barges for coal and other purposes, and that is a part of the general scheme; but up to that point beyond the Temple, it is a solid embankment. It was designed for the purpose of giving a roadway of 100 feet, except just at the point near to Blackfriars Bridge passing the gas works, which would be something like 80 feet. The southern embankment commences at Westminster Bridge, and goes up towards Battersea Bridge and Vauxhall.

104. First, with regard to the northern embankment; what was the estimated cost of that embankment?—The estimated cost of the embankment was 1,000,000 *l.*

105. Did that include any approaches?—It included the approaches.

106. What were the approaches?—There was one approach through Whitehall-gardens, taking down Lord Carington's house; another opened up Whitehall-place, and there was a third commencing from Wellington-street, Waterloo Bridge, and cutting obliquely on to the embankment.

107. Were there no other approaches but those?—I do not remember, excepting opening up some of the streets at right angles on to the embankment, which are probably now cut off by means of railings.

108. What access was there at the Westminster Bridge end?—There was an approach at the Westminster Bridge end.

109. Was it a new approach, or did you turn off from the bridge?—We turned off from the

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bridge, but there was not so large an approach as we now propose.

110. What steps have been taken by the Metropolitan Board to carry out that design?—The Thames Embankment North is now under contract, except the small portion near to the gas works, to which I have referred, and the amount already expended is 632,604 *l.* 17 *s.* 10 *d.* The money in hand on that account is 49,053 *l.* 0 *s.* 9 *d.*

111. Does that expenditure include the payment of compensation to all the riparian owners?—Yes; the figures which I am now reading are inclusive. There is an estimated receipt of 200,000 *l.* The Committee are aware that an arrangement was made with a railway company who are about to take a line of railway along the embankment behind the railway, and they were to pay to the Board for the easement the sum of 200,000 *l.*, and such further sum as the arbitrator (who, I think, is Lord Stanley) might award. Therefore, we take that as a credit. We have returns received 3,713 *l.* 11 *s.* 6 *d.*; a part of that is for interest of moneys at deposit. We have borrowed, under our powers, the sum of 200,000 *l.*, which I will presently explain, and the estimate to complete is 1,290,000 *l.* That includes the cost of the new approaches. The Committee are aware that there were certain approaches, and the Board had power to carry them out under the previous Act, but the Board did not deem those approaches sufficient or proper, and hence the application to Parliament for fresh powers for other, and, as we believe, more important and useful approaches. The cost of those approaches, I believe, is included in the figures which I have read, namely, 1,290,000 *l.*

112. Will you explain the expenditure on this embankment a little more clearly. I understand you to say that the embankment was handed over to you, with an estimate that it would be completed with its approaches for 1,000,000 *l.*?—Yes.

113. You have already expended on it 632,000 *l.*?—Yes.

114. And you say that you will require 1,290,000 *l.* to complete it with its approaches?—Yes, it will cost nearly twice its original estimate.

115. How much of the 632,000 *l.* has been spent upon works, and how much upon compensations?—I have not the separate costs, but I will furnish them.

116. Can you state how much will be required to complete the works of the embankment itself?—That I am unable to say until I refer to the figures. I will supply those figures.

117. Can you also tell the Committee how much more is necessary for compensation, if there be any more compensation to pay to the riparian owners, whose property abuts upon the embankment?—I think that upon the northern embankment we have compensated everybody. I may just mention that when the powers to construct this work were given to the Board, we were under the impression that the compensations would be confined to persons having wharves, or other building abutting upon the river, and that it would be in respect of the deprivation of water right, or injuriously affecting property on its banks. But before we could proceed one step in carrying out this work, we were met by a claim from the Crown. That claim was a very large one, and after a considerable amount of negotiation the matter was deferred, and there was an award, I believe, of something like 27,000 *l.* for the assumed right, on the part of the Crown, to property dealt with by the Board. That was in respect of the foreshore from high to low water. That claim, on the part of the Crown, we were unable to dislodge; and, therefore, we had to meet it by a money payment of 27,000 *l.* We felt that it was scarcely consistent with the condition of things as they ought to be, as we were called upon to carry out the work, not for a commercial profit, but for the good of the community, that the Crown should interpose and make a claim to the extent of 27,000 *l.*, or rather the claim was very much beyond that; but we felt that it was hardly consistent that we should be compelled to pay at least 27,000 *l.*, in respect of that which could be of no value to the Crown or anybody else. Its value could only be estimated after the Board had built a retaining wall, and excluded the tidal water, and the cost of that would fix the value of the ground for any purpose whatever. Therefore we were called upon, out of public funds raised from a tax upon the inhabitants of the metropolis, to pay that large sum. We are followed up by the same doctrine, and I fear shall be victims of the same practice in the case of the southern embankment. We have now claims made. One is made in respect of the Archbishop of Canterbury's ancient right which it is alleged on his behalf he possesses in the foreshore of the river. Another claim is made by the Conservancy Board, and a third is made by the Crown. Of course we shall take care to pay but one of those claimants whatever the sum may be, but that we shall have to pay I have no doubt. And I believe that a very large claim has been made in respect of a very small portion of the shore opposite the embankment. I think that it adds very much to the difficulty of carrying out improvements when public bodies have to contend with claims of this sort.

118. Will you explain the conditions which you found that Parliament imposed upon you in respect of the construction of the Thames Embankment, beginning with Westminster Bridge and going along the embankment?—Whenever you touch the property or the assumed property of the Crown, you are always met by special clauses, and it is utterly impossible to exclude them, for they always succeed in getting those clauses inserted.

119. What were the claims specially imposed upon you by the Act which you had to meet for the northern embankment?—The claims were first in respect of the Crown, and, secondly, there were special clauses in respect of the property of the Duke of Northumberland, and the Marquis of Salisbury, and other parties. First of all, one error committed in the framing of that Bill was the prevention of the Board taking the property. We were called upon to compensate the parties for injuriously affecting their property; that is to say, depriving them of their water right, but not to take the property. We have had several instances, one in particular, where we have been called upon to pay for the deprivation of the water right a sum equal to the fee, whereas if we had had power under that Act to purchase the property, we might have resold and have recouped ourselves to the extent of the resale.

120. To whom was that payment made?—I think that in one case it was made to an engineer, Mr. Gwynn. It occurs to my mind at this moment,

moment, that several cases illustrating the mischief of that restriction have happened in the course of our negociations. Then these special clauses which some parties obtained were special contracts not to take anything except what we have taken, and that we should compensate the Duke of Northumberland, for example, for any injury which his property might sustain by our works. We compensated the Duke without taking his property to the extent of 20,000 *l.* in respect of a wharf; whether the result may be that the Duke's property will be permanently improved by a splendid roadway time will reveal, but we have paid 20,000 *l.* for that alleged injury.

121. Are the wharfage rights the fee simple value of the property?—The buildings will become warehouses or shops, or buildings with land access instead of water access, and the difference will simply be that they will not have the advantage of the water right.

122. What you have paid for is in reality the rent which was got for the property as a wharf?—No, it is the valuation by the referee of the diminished value of the property by reason of the water right being cut off; but my point is this, that if we had had power under that Act to purchase the property, and had held it until this fine roadway was made, we might have resold it for very nearly the same amount; whereas, it is now held by the proprietor, and he will get all the reversionary benefit without any special benefit to the ratepayers.

123. Were there any other special clauses?—Yes, for the Marquis of Salisbury.

124. And for the Duke of Norfolk?—Yes.

125. What do you say with regard to the Temple?—I think that we have no reason to complain of the Temple authorities; they behaved very well.

126. You had to give them the whole of the land reclaimed?—Yes.

127. Mr. *Locke.*] But they were not to be allowed to build on it?—No.

128. *Chairman.*] They are still at liberty to build on their own land, and to convert the reclaimed land into gardens, so that it is of the same value as if it were building land?—No; it adds to the area of their garden, but if they had been permitted to build, the value of it would have been very much more.

129. But if they can build upon their own garden land, by reason of getting that new garden in front of it, it will be the same thing to them?—No doubt, it will be of great value to them.

130. Are those the only persons who had special clauses put into the Act for their benefit?—Yes, so far as I remember. So far as the approaches are concerned, if those special clauses are to be construed into a contract that the Board are not permitted to come for more powers, and Parliament are not permitted to grant them more powers, all I can say is, that we shall not secure proper approaches to the embankment. I am not now specially referring to the Duke of Northumberland's house, because, probably, there may be another mode of dealing with that question, without touching it.

131. Do you consider that the cost of the embankment has been considerably increased by all these clauses?—Undoubtedly.

132. Is it the general result that whilst you make this fine road, you have no power to build along any part of it?—That is so. The land reclaimed we are bound to dedicate to the public.

133. That is to say, the land which you are not bound to give to the Crown and to other parties; so that the whole of the expense is thrown upon the inhabitants, without the usual means of recouping any part of it?—The return on the Thames Embankment is a mere nothing.

134. Will you be able to give the Committee the estimate for the streets separately from the works on the embankment?—You mean the approaches?

135. Yes?—I shall.

136. With regard to the southern embankment, did you obtain that Act yourself?—Yes.

137. Did the Crown insist upon having similar clauses inserted in that Act?—Yes, and that is now under reference. We have expended on the southern embankment 11,683 *l.* 1 *s.* 4 *d.*, that is to say, monies paid for work done. Of course there is a reservation on the contract. The money in hand is 36,642 *l.* 13 *s.* 6 *d.*; the borrowing powers are 480,000 *l.*

138. What was the estimated cost of the southern embankment?—That was about the original estimate of the cost, but it will be greatly exceeded.

139. Have you let any of the works under that Act?—Yes.

140. What is the estimated cost of the embankment?—I think that 300,000 *l.* is the amount of the structural contract.

141. Mr. *Tite.*] That is for all the structural works?—Yes, not including compensation.

142. *Chairman.*] What is the estimate for compensation, or have you paid all the compensation?—We have not. We are now acquiring the properties. We have not yet obtained one-half of them. All that we have paid in respect of the southern embankment is 11,683 *l.* 1 *s.* 4 *d.*

143. Having let the works, what do you estimate as the whole expense of the southern embankment?—We have a credit of 95,000 *l.* from the Governors of St. Thomas's Hospital for a site for the purposes of the hospital; we estimate the cost at 909,000 *l.*

144. Mr. *Tite.*] Is that the total?—Yes, that is our estimate of compensations, and of structural works.

145. Do you mean now?—No; 860,000 *l.* is the estimate to finish.

146. *Chairman.*] That is the gross expenditure?—Yes.

147. How much does that exceed the estimate upon which you took the Act?—I cannot speak as to the original estimate; it will exceed it, I have no doubt, by about 600,000 *l.* or 700,000 *l.*; I have not the figures before me.

148. Does that include any approaches?—Yes; it includes all the southern work.

149. Will you state what source you have for repaying the expenditure on the embankments?—Probably I had better give Mansion-house-street, which is to be added to the cost of these works.

150. Is it all one fund?—Yes; in Mansion-house-street the sum already expended for acquiring property is 643,175 *l.* 14 *s.* 11 *d.* The money in hand is 25,127 *l.* 4 *s.* 7 *d.*; and the original estimate, which was a part of the Thames Embankment work not estimated, is 1,000,000 *l.* We have borrowed, under our general powers, 400,000 *l.*, and we have a return, by way of rents of property since it has been acquired, but not having

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having been immediately taken down, of 3,309 *l.* 9 *s.* 5 *d.*, with some interest of monies on deposit. The estimate is 1,299,260 *l.*, and the estimate to complete is 630,000 *l.*, so that the difference between the original estimate and the present estimate to complete would be 299,200 *l.* odd. Those three works are charged on the coal and wine dues, and, under the powers of the Board, the Board has received in Exchequer Bills and Consols, 391,162 *l.* 18 *s.* 4 *d.*; and then from June the 30th, 1863, up to the 30th of September 1865, we have received the quarterly payments arising from the coal and wine dues paid over by the City of London, the Corporation being made the collector to the Treasury, and they being then paid over to our public account. We have, therefore, received in Exchequer Bills, in Consols, and in quarterly payments, 856,714 *l.* 19 *s.* 11 *d.* The present estimate to complete these works will exceed the original estimate, but the coal and wine dues have produced a very much larger sum than was calculated at the time when this arrangement was made with Parliament. I think that at the time when the Bill was brought into the House, the estimated value of the coal and wine dues was something like 162,000 *l.*, and the present value is 187,000 *l.* Taking the present value fixed by Parliament for a certain term, namely, 16¾ years unexpired, at 187,000 *l.*, it will give 2,300,000 *l.*, calculated at the rate of 3¾ per cent. Independently of the money received, we have borrowed money from the Treasury under a special arrangement in that Act. The Committee are aware that the Treasury took power to advance money from the accumulations of savings banks, and they have, therefore, had power to lend it to our Board at a rate of interest equal to 3¾ per cent., giving to the Board a guarantee. There was a mutual advantage in that arrangement; first, that we obtained our money at ¾ per cent. less than we should have done in the open market, and the Government, on the other hand, realised at least ¾ per cent. in excess of what they had been in the habit of doing by the ordinary investment, so that the advantage was mutual. We have borrowed from the Treasury, in respect of our powers, the sum of 800,000 *l.*, and we have repaid to the Treasury, agreeably to the arrangement that the income of the coal and wine dues each year should discharge the interest on our loan, and so much of the principal as there might be to spare, 8,000 *l.* of that sum; and we are now under contract with the Bank of England for another million on the same security.

151. Mr. Alderman *Lawrence.*] And at the same rate?—Yes.

152. *Chairman.*] What are the immediate requirements or the whole requirements of the Board, to complete these three works at the present time, that is to say, the northern embankment, the southern embankment, the approaches, and the continuation to the Mansion House?—A calculation was made in October last, and subject to the difference of date which may somewhat affect the figures, I will give the Committee the result. For the Thames Embankment, north, the engineer's estimate was 1,054,000 *l.* for structural works, and the architect's estimate, net, would be 847,650 *l.*

153. For what?—For compensations, making an estimate of 1,901,650 *l.* Then for the Mansion House-street improvement, the engineer's estimate, which would include the making a sewer and a subway, and paving the street and kerbing, and every expense connected with that street, was 51,060 *l.* The architect's estimate, net, was 573,000 *l.*, making 624,060 *l.* as the estimate of that work. For the southern embankment the engineer's estimate is 309,000 *l.*; the architect's estimate for compensations is 555,754 *l.*, making a total of 864,754 *l.* The three works, therefore, would cost 3,390,464 *l.* Then we have, as to funds to meet those several works, the amount already received from the Government, in quarterly payments, 371,383 *l.*, and Exchequer Bills and Consols, 391,163 *l.*; and the present unexpired value of the coal and wine dues, for 17¼ years (of course it is a shorter period now, that having been in October last), is 2,324,878 *l.* The amount to be received from the railway company is 200,000 *l.* That would give a credit of 3,287,424 *l.* Assuming that the net cost of the works will be 3,390,446 *l.*, and taking the value of the coal and wine dues, in addition to the amount already received, and that to be received from the railway company, at 3,287,424 *l.*, there will be a deficiency of 103,020 *l.*

154. Does the estimate which you have given of the 847,000 *l.* include the new streets and the approaches, as deposited in the original Act, or as deposited by the Board in the present Bill before Parliament?—As deposited by the Board in the present Bill before Parliament. The difference in the estimate carrying out the approaches, as sanctioned by the present Act, and those proposed and embodied in the Bill now before the House, would be about 270,000 *l.*

155. You mean that the approaches which you propose would cost 270,000 *l.* more than those in the original Act?—Yes.

156. Has the estimate of the produce of the coal and wine dues been based upon the present amount?—Yes; 187,000 *l.*

157. Without any allowance for increase?—Yes.

158. Nor have you taken into account any allowance for the additional sum to be awarded to you by Lord Stanley, should it arise?—We have not.

159. Does this increased estimate also include converting the canal to Blackfriars Bridge into a solid embankment?—I do not apprehend that the cost to the Board would be very much increased whether it was solid or otherwise; there would be a good deal of expense in arranging the inner dock and arranging the sewer. It might be cheaper, but we have not taken that into account.

160. In these estimates have you taken into account all the re-sales and the ultimate disposition of the property?—Yes; I have given the Committee the net result.

161. Is it correct that the property which you have bought in the City is very much rising in value?—Very much.

162. Have you made any allowance in this estimate for that rise in value?—I presume that the Honourable Chairman refers to the land which we shall ultimately have to dispose of?

163. Yes.—An allowance is made for that in the return.

164. Mr. *Locke.*] With regard to the question of compensation, starting from Westminster Bridge, what is the arrangement with the Duke of Buccleuch with reference to the land which is reclaimed?—The land will be given up to the Duke

Duke of Buccleuch on the same principle as with the Temple.

165. Then, when the embankment is completed, all that land between the Duke of Buccleuch's present garden and the north side of the embankment road, will be given up to the Duke Buccleuch?—Yes; and the same thing applies to the terrace of houses occupied by Sir Robert Peel and others.

166. And to Richmond Terrace?—Yes.

167. It is all given to them precisely in the same way as it is given to the Temple?—Yes.

168. Was any compensation paid to the Duke of Buccleuch?—No; we do not apprehend that we shall be called upon to pay any compensation.

169. The next property that we come to is the Duke of Northumberland's?—Yes.

170. The section of the Act of Parliament which has been the subject of discussion lately, I think, is the 53d Section of the 25th & 26th of Victoria, chapter 93, the marginal note of which is "Land of the Duke of Northumberland, except that required for the formation of certain streets, not to be taken without consent." That clause was introduced, I believe, into the original Act, which was obtained by the Chief Commissioner of Works?—Yes.

171. With regard to that, I think that the stipulation was that the only land which should be interfered with was that at the bottom of the several streets abutting upon the embankment, and that was to be given over to the Duke of Northumberland; is that so?—Yes. I am not quite clear as to the precise obligation under that section.

172. "Except with the previous consent, in writing, of the Most Noble Algernon, Duke of Northumberland, his heirs, sequels in estate or assigns, the Board shall not take any more land belonging to the said Duke, under the provisions of this Act, than is requisite for the formation of the following streets, not exceeding 60 feet in width; that is to say, a street in continuation of Whitehall-place, and a street in continuation of Northumberland-street. Such streets to be made respectively in the direction shown on the Plan A hereinafter referred to, or within the limits of deviation shown on such plan; and except with the previous consent in writing of the said Duke, his heirs, sequels in estate or assigns, and of the said Board, no building shall be erected upon the lands taken from the said Duke, his heirs, sequels in estate or assigns, for such streets, or upon the lands coloured green upon the Plan marked A, signed in duplicate by the Right Honourable William Cowper, one part whereof is deposited in the Private Bill Office of the Honourable the House of Commons, except any buildings for making necessary fences on the sides of such streets, or for accommodating the public with fountains or covered resting-places, or for public monuments, such buildings or monuments not exceeding 19 feet in height above Trinity high-water mark." The result of that would be, that what you had a right to take would be ground at the end of Northumberland-street, and by your making the embankment you would provide for Northumberland-street a roadway on to the Thames Embankment? — Yes. I understand that there was a certain plan signed by the First Commissioner, and that that plan indicated certain roads or approaches to the embankment, and that our authority under that Act is confined to taking just so much land as is required for the formation of this roadway, so that we are not to take any other land except with the consent of the Duke, nor to build.

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173. The result of that would be that you would be obliged by the Act to make a roadway from Northumberland-street on to the Thames Embankment, and therefore relieving Northumberland-street from being a *cul de sac*, which it is at the present moment, and making a way from it on to the Thames Embankment, so that it would have the highway called the Strand on the north side, and the Thames Embankment on the south; is that so?—Northumberland-street in itself would be an imperfect approach to the embankment.

174. But that would have been the result of this provision?—No doubt.

175. And so with regard to Craven-street and the other streets out of the Strand?—Yes.

176. With respect to the property abutting on the Thames, below Northumberland House, is it not a very miserable description of property?—Yes, immediately abutting on the Thames.

177. The buildings are kept exceedingly low, so that from the windows of Northumberland House, the Duke can look over those buildings houses on to the river?—I believe that that is so.

178. And by this Act of Parliament, the then Chief Commissioner restricted himself from touching any of those miserable buildings, without the consent of the Duke of Northumberland?—Yes.

179. So that if anything should be done with respect to those buildings, taking them down and rebuilding, that was to be entirely at the option of the Duke of Northumberland, and the Board (whichever it might have been) could not interfere with them or make any improvement whatever at that point, without his sanction?—Clearly.

180. By the Thames Embankment being made, coming in front of this property, would it not be a very great benefit to the Duke of Northmuberland?—I think that it would.

181. That is to say, if he had chosen to forego his view of the river over the tops of the buildings, and to allow valuable houses to be built there?—Are you speaking now of the approaches as sanctioned by the present Act?

182. Yes.—It must ultimately have improved the property of the Duke of Northumberland, but we have paid the Duke in respect of that property to which you have referred, the sum of 20,000 *l.*

183. What did you pay the Duke 20,000 *l.* for?—For the deprivation of water right for a wharf or wharves.

184. For the deprivation of water right to Mr. Francis's cement manufactory, and one or two places of that description?—Yes; and a coal wharf.

185. But if the Duke, when you have finished your embankment, should think proper to put an end to the tenancies of these persons, have you ever formed an estimate of the sum of money which, by that means, he would put into his pocket under this section in the Act of Parliament?—No, we have not formed such an estimate.

186. You have not valued any of the foreshore with reference to the Thames Embankment for building purposes?—No, I think not.

187. One of your proposed alterations lately

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has been to make a street through the Duke of Northumberland's property there?—Yes.

188. Of course, for that he, like anybody else, would have gone to arbitration, or to a jury, under the Lands Clauses' Consolidation Act, and he would have got full compensation for his property?—Yes.

189. But you have been prevented in consequence of this section of the Act of Parliament, which was considered by the House of Commons binding upon you, although you had nothing whatever to do with it, and, therefore, you have given that up?—We have.

190. Where do you propose to make a street on to the Thames Embankment, having been prevented from making a street through the Duke of Northumberland's property?—That is now under consideration; it is possible to get a street.

191. I believe that it is utterly impossible for you to make what persons consider a street of the best description, namely, a straight one, unless you go through Northumberland House?—There is no doubt that the line passing through Northumberland House and grounds is the best line, and is the proper thing to do, all other things being equal

192. What width did you propose that that street going through Northumberland House should be?—Eighty feet.

193. With houses of what description on either side?—No doubt, it would be a very good site for building, and there would be a good class of property.

194. What is the width of the street which you now propose, seeing that you are prevented from going through the Duke's property?—That we have not yet determined.

195. About what width would it be?—Seventy or eighty feet; we should have not less than 70 feet, certainly.

196. Is this to be made in your line of deviation?—No.

197. Then, do you propose an entirely new line?—We propose to go on with the Bill as it stands shorn of that particular, and we shall apply again to Parliament.

198. Then, you will not be able to apply till next year for the purpose of making a street from the Thames Embankment on to Trafalgar-square?—No.

199. Does that cause inconvenience to the railway which is about being constructed?—I think that if the other approaches are sanctioned, we are pretty well tied up as to an approach, supposing that we are unable to pass through Northumberland House; there is but one line which we can take, namely, a curved line from Charing Cross, going round the end of the garden, and that would be a sufficient indication of the approaches, so that the railway company might fix their stations and ventilating places with sufficient certainty.

200. Supposing that the Duke of Northumberland left this property upon the banks of the river in such a state as to give him a view of the river over it, would it entirely destroy the effect of the Thames Embankment as to architectural appearance?—The effect of the Thames Embankment will be to relieve the traffic; that is a very important element. As to the appearance of the foreshore, undoubtedly, if ragged and irregular houses were left upon it, it would tend to disfigure it.

201. Have you any means whatever, under this Act, of preventing that?—No.

202. Therefore, if the Duke pleases, he may allow a very great eyesore always to remain upon the banks by the side of this road, supposing that he is still anxious for his view of the Thames?—No doubt; he is the master of his own property.

203. Is not that property of the Duke of Northumberland, which will form the side of the Thames Embankment, about the worst which there is in appearance from Westminster Bridge down to Blackfriars?—I am not prepared to answer that question.

204. Is there anything worse which you know?—I am not prepared to answer that question.

205. Supposing that that property is allowed to remain in its present state, is it possible for you to make anything but a most unsightly appearance on the north side of the embankment?—I hope that our work will be a creditable work.

206. Your work consisting of a stone parapet?—Yes.

207. But on the other side of this stone parapet and the road, it is now proposed by you to have a row of houses?—We, of course, have no control over the property. The Honourable Member must form his own view as to the character of the property.

208. Where you have control over the property, what do you propose to do?—We must leave it as it is; it would depend upon the view of the Duke.

209. You are helpless, as far as the Duke is concerned?—And so we are as respects other parties.

210. In the whole length of the embankment?—Most of the embankment.

211. Is there none of the embankment which you can let for building purposes?—With a very slight exception, I think that the whole is to be given up to the proprietors.

212. Then, if the public consider that this Thames Embankment will be an ornamental thing, they will be miserably deceived, will they not?—As the whole of the foreshore is to front a splendid roadway of 100 feet in width, and as the ground intervening between the buildings and the roadway is to be ornamentally planted and arranged, no doubt the present houses abutting on the foreshore would not be a creditable face; but that is a very large question. We have no control whatever over it.

213. Therefore, if the owners of the property along the bank of the river choose to leave it in the present state, the Metropolitan Board of Works have not the slightest power to make any alteration?—Not the slightest.

214. And that is the way in which this Act of Parliament, which was to ornament the metropolis, was passed by the Chief Commissioner of Works. When you have finished your road, which is very handsome, the parapet being handsome, and it being built of granite, do you not think that the other side of it will be about the most frightful thing in Europe?—I hope that the result of our improvement may have a tendency to stimulate proprietors to improve their property. One can only hope that the property itself may be improved in value, and may be somewhat changed in its character; but if you ask me the question, supposing that we were about to apply to Parliament for power for the purpose of forming an embankment, giving a roadway to the public of 100 feet in width, and out of that taking

30 feet

30 feet next the river for a footpath, where the public could congregate as well as pass without interruption, what I should do with the back ground, I should undoubtedly adopt a very different system to that which has been adopted by recent legislation. I think that a large portion of that ground might have been built upon to the credit of the metropolis. I think that, so far as light and air are concerned, you would have secured those objects by your roadway and river in front; and I think, that in the first place, we might have had the law courts built on the reclaimed land, not only with advantage to the body occupying them, and with a splendid approach from all quarters. We should have had a splendid building, exhibited to the public view, which would have been an immense benefit to us. Instead of spending 700,000 *l.* to clear a site there would have been one already clear, and if Parliament had directed that sum to be applied to metropolitan improvements in relief of the cost of these works, it would, in my judgment, have been very much better than the plan which we are now compelled to carry out under the present power. I think that it will be a very discreditable thing if that ragged foreshore remains without any architectural appearance or consistency of style or character of building. I can only hope that it may be so improved as to induce the parties to mend and correct it by putting better buildings upon it.

215. Can that be done without legislation upon the matter? — Certainly not; we are tied up.

216. Are you not aware that in this country, where people are allowed to build just as they please, the effect is most disgraceful and hideous? —If the Board had had power to dispose of any of the surplus land, we, of course, should have power over the elevations, and should have bound the parties to submit their plans for our approval.

217. Then I understand that now the whole power which you have is to form an embankment, and to make access to it from the particular streets which are pointed out in this Act of Parliament?—Yes.

218. But with regard to any embellishment on the northern side, or as to erecting any buildings, you are entirely helpless?—We are.

219. Or with respect to letting any land for that purpose, or as to restricting the buildings as to the elevation, and so on?—We are.

220. You have seen the miseries in which you are placed, and you have applied for an Act of Parliament to remedy, in some degree, those mischiefs to which the Metropolitan Board of Works are subjected?—We have.

221. What are the objects of that Act?—The objects of that Act are, in the first place, to enable us to make better approaches, in our judgment; and in the second place, to utilise some portion of the ground for building purposes, and to put a face on some parts of the embankment.

222. Then you will, along your embankment, step from affluence to poverty; and so on along the length of it, handsome houses will be immediately succeeded by hovels. You have not laid down any plan for a continuous line along the whole embankment, as I understand you?—It is very difficult for us to lay down any plan, for immediately that we are in Parliament for the purpose of obtaining the necessary powers, at the expense of the ratepayers, which we believe to be for the public interests, we are met with all sorts of questions as regards the rights of parties and the breach of contract; and it is for Parliament to say whether we shall be able to deal with any portion of that line, or to make any approach to the embankment which has been constructed at so great a cost. It will, of course, be for Parliament to say whether we shall be so tied up, and whether that state of things shall remain. So far as the southern embankment is concerned we have arranged with the Governors of St. Thomas's Hospital, who, I understand, are about to place a building there which will be a credit to the metropolis, and which will stand out, nicely balancing this magnificent pile of buildings, on the other side of the river.

223. With regard to the Duke of Norfolk, I believe that the provisions as to taking any land at the bottom of Norfolk-street and those other streets in the Strand, are the same as with respect to the Duke of Northumberland?—Speaking from memory, I believe that they are.

224. You will confer a benefit upon the Duke of Norfolk, taking Norfolk-street, for instance, by making a way from Norfolk-street on to the Thames Embankment. Persons will be able to drive down Norfolk-street to the Thames Embankment?—Yes.

225. That will increase the value of the property in Norfolk-street?—No doubt.

226. And, in point of fact, that will be so, with respect to all the property of the noble Dukes, who hold it on the banks?—All the property immediately in the rear of the wharves will be greatly increased in value, in consequence of having a splendid road communication to the river, instead of the inconvenient access from the Strand, and you are aware that those gradients are very steep.

227. I presume that you take a certain number of houses to enable you to do that, and that is all that you have been allowed to do?—Yes.

228. With regard to the Temple, I believe that you have been treated extremely well; that you are to pay them nothing, and that all which has to be done is to keep open the land which they will acquire by the Thames Embankment for the benefit of the public?—I think that the Board have treated the Temple very handsomely, and we have no reason to complain of the conduct of the Temple.

229. However, they are restricted from building upon any part of that land, and there will be a very large open space there when the embankment is completed?—No doubt.

230. Is it not 300 feet?—I am not sure.

231. Mr. *Mill.*] If I understand you aright there is a very small portion of the land within the embankment which will be under the control of your Board, and a very little of it upon which you can build, or of which you can direct the disposal?—Yes.

232. How much of the ground within the embankment have you power over?—For building purposes, I do not think that we have power over any. Any spare land is to be planted and laid out ornamentally, for the benefit of the public.

233. The Duke of Buccleuch, and any one else to whom the land has been given up, have the power of building upon the land which has been given up to them?—I do not think that there is any restriction. It is Crown property. We have to give up the land, and, I suppose, build

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build the wall and lengthen the land in each case up to the ground to be reclaimed.

234. If the Duke of Buccleugh chooses to build upon the property given up to him, he can do so?—It may be determined by the Crown, of which I know nothing.

235. Then the question is whether the Crown, if they wish to lay it out for pleasure ground for public resort, must pay to the Duke of Buccleugh the value of it for building ground or otherwise?—The Duke of Buccleugh is a lessee; the Crown is the ground landlord.

236. Will this land which is given up to the lessees come within the lease; will they hold it on the same conditions as those upon which they hold the other land, or will they hold it as absolute property?—I should think that they will hold it upon similar conditions.

237. Then it will depend upon the provisions of their leases, whether the Crown will require them to give it up without paying the full value of it as building land?—I am unable to speak with certainty upon that point; that will be governed by the agreement with the Crown.

238. The Dukes of Northumberland and Norfolk are not lessees; they are proprietors, and therefore I presume that they will be proprietors of the land which you give up to them?—We give up no land; we are prohibited from taking any land or property belonging to any of the proprietors named, but the land in front will become dedicated to the public and will not belong to the adjoining owners; it will be taken by the Board.

239. As respects your prolonging Norfolk-street and other streets, does it extend to more than the roadway; have you power to prolong them as streets with houses on both sides?—No.

240. Mr. *Kekewich.*] If I understand you rightly, you say, that in the case of the metropolitan drainage, supposing that the present amount was collected, the whole debt would be repaid in 34 years?—I hope so. If the same principle continued for 34 years it would extinguish the principal and interest in that time.

241. The expenses of the Thames Embankment are paid from the wine and coal dues?—Yes.

242. What is the number of years in which the debt on the Thames Embankment is supposed to be liquidated?—About sixteen and three quarters.

243. When you deducted from the whole amount of the expense, did you deduct the sum paid by the Metropolitan Railway, which I think you said was 200,000 *l.*?—Yes; we took that as a credit.

244. Mr. *Turner.*] There seems to have been some difficulties with regard to the Thames Embankment, in passing through land, in consequence of the injury which it did?—Yes.

245. In order to get over those difficulties, arrangements were made with the proprietors?—Yes.

246. And the provisions which you have spoken of to prevent building on land, and so on, in consequence of those arrangements?—I believe so.

247. And but for those arrangements that Act would not have been obtained?—I am quite unable to answer that question; that would depend upon the disposition of the House.

248. It is to be presumed that some arrangements would have to be made with the proprietors. As regards the coal wharves at the bottom of Northumberland-street, I think you said that those buildings are wretched buildings?—I never used the term "wretched buildings."

249. You are aware that they are occupied as counting-houses by gentlemen who have had those coal-wharves for a vast number of years?—Some of them, no doubt.

250. A gentleman of the name of Wood has had them from father to son?—Yes.

251. Therefore, though the buildings may be poor buildings, still they are sufficient for the purpose of wharves; and the rental obtained from the coal wharves and from the counting-houses is a very considerable rental?—Possibly so.

252. Therefore, it would follow that if you had put an improved building you would not have got an improved rent if the previous buildings were sufficient for the purpose for which they were occupied?—That I am unable to say. It may turn out that those buildings, which I believe are built mainly of wood, may have answered the purpose very well for persons in the coal trade, or a trade of that description, with water right, and that they may as such have been valuable; but the question which I was asked was, whether, as they are now to be no longer used as wharves, but are to be buildings in front of a fine wide road-way of 100 feet in width, they would not be of equal value for other than wharfage purposes to that which they have maintained up to the present time; and, if so, 20,000 *l.* which we have paid for the assumed injury to the property, for deprivation of the water right, has been paid in error.

253. *Chairman.*] Have you paid in addition to the compensation to the freeholder, compensation also to the lessees for their loss of the good-will of their business and for interest?—Yes, a large sum.

254. Mr. *Turner.*] The lessees would consider themselves entitled to compensation for any loss which they might sustain?—Yes.

255. And that has been done as a matter of course?—Yes.

256. The buildings being sufficient for the purpose of enabling the Duke of Norfolk to get a considerable rental from his lessees, may they not be considered valuable as they are, and may it not be regarded that the wharf itself would be of no value without the counting house, and that the counting house would be of no value when the wharf was taken away?—The difference of the question is this: if the Board had had the power to take this property instead of compensating for injuriously affecting (using the terms of the Act), we should have disposed of that property and taken the wooden buildings, and very likely recouped ourselves for the outlay.

257. If you had had the uncontrolled possession of the land taken for the Thames Embankment, it would have gone a long way towards reimbursing you, and paying for the whole expense of it; but is it your opinion, that, under those circumstances, Parliament would have taken away the frontage from the owners of the land? If you could have got such an Act, I presume you would say at once that it would have been very desirable for the public and for your own remuneration; but the question arises, whether you would have got an Act of Parliament at all or not?—That is a question of risk, and it would be dependent

pendent upon the feeling of the House. But, upon the question of public economy, I am bound to say that that course of legislation is the proper one to take in dealing with public improvements, and that these restrictions greatly increase the cost of public improvements; so it would be the interest of Parliament to lessen the cost of improvements which are required for public health and convenience.

258. But do you think that it would be in accordance with the usage of Parliament to take away a frontage from any person, leaving Parliament to deal with it as it thought proper, and giving him no compensation?—We find by experience that persons whose property is taken for public improvements suffer nothing, either by a jury or by a referee, and that they secure the full value of the property, and rather more.

259. Is it not the usual mode of dealing with street improvements, that Parliament do not allow the public authorities to take more land than is required for street purposes; do they allow the parties to take the whole area and to recoup themselves?—Clearly; you would never have a street 60 feet in width, cutting a road through and leaving a ragged side to it, but you must have a proper area for the street on which proper buildings can be erected.

260. If we drive a very handsome street through the heart of a town, say Liverpool, which will improve the property on both sides, Parliament has never allowed us to take any property against the will of the owners, except for the street?—You will be limited by a line of deviation, and within that line you will exercise your powers.

261. *Chairman.*] In London street improvements do you not always take sufficient land on each side of the street to enable you to build so as to secure the value of the street improvements?—Clearly.

262. Mr. *Locke.*] The London Bridge improvements were effected upon that principle?—Clearly; you can adopt no other principle.

263. Mr. *Sandford.*] If I understand you rightly, a design was put into your hands to carry out?—Yes.

264. And though you are not responsible for the design, you are responsible for the execution of it?—Yes.

265. I did not quite gather how this money is to be paid?—Do you refer to the Thames Embankment?

266. Yes.—By means of the coal and wine dues.

267. The First Commissioner of Works has no influence or connection whatsoever with your Board in this question?—Not the least.

268. Sir *Matthew White Ridley.*] We understood from you that the Duke of Northumberland had had 20,000 *l.* paid to him as the amount awarded by arbitration upon a valuation made of the premises, and that that sum had been awarded on the ground of the access being cut off from the water. Are you prepared to say that that 20,000 *l.* was an excessive amount under that arbitration?—I am not prepared to say that, but I am prepared to state that, had the Board been relieved from the restriction, and been in a position to have taken the property, the net cost to the Board would not have been 20,000 *l.*

269. Are you prepared to say that compensation has not been made to other persons, owners of wharves, between Northumberland House and Westminster Bridge, who have had access to the water, on a rate equally high as that which was awarded to the Duke of Northumberland?—I think that we are paying, and have paid in excess, and that the restriction has acted prejudicially, not only with the Duke of Northumberland, but with other parties, where we have had simply to compensate for water right.

270. To allude to particular individuals, there was a coal wharf in the possession of Messrs. Yeale and Judkins, between Richmond-terrace and Westminster Bridge itself; was the compensation awarded to the Duke of Northumberland on a higher basis than the compensation paid to Messrs. Yoole and Judkins, or other individuals who had wharfage frontage to the river in that locality?—The cases were not at all analagous, because the one was a lessee, and the other was in possession of the fee; there was a question of reversion in one case, and of dealing with the lessee in the other.

271. Then I apprehend that the position of your Board is this, that you are in no better position, with respect to any of those persons who have either foreshore claim or foreshore right, than you are with respect to the Duke of Northumberland himself; you cannot deal with the ground intervening between the face of the present river and the road and embankment, or build upon it as you desire, upon any other person's property any more than you can upon the land of the Duke of Northumberland?—That is so. I am making no complaint against the Duke of Northumberland. I am stating the infirmity of the Act.

272. His Grace and other contiguous owners are, as respects the Board, in the same position?—Yes.

273. Mr. Alderman *Lawrence.*] I think that you have stated that the interest now paid to the Bank of England for the loans, is $3\frac{3}{4}$ per cent.?—Yes.

274. Do you expect to obtain further loans at the same rate of interest?—I hope so, subject to the same conditions.

275. If I understand correctly what has been stated, owners of property have been compensated for the loss of water-way without any amount being taken into consideration for the benefit of a land-way?—I am not prepared to say that no regard has been had to the benefit; but what I state is, that the ultimate value of the property in question, it is difficult now to ascertain. When the whole improvement is complete, we should probably have realised a larger amount than has been credited.

276. The proprietors of land who had rights of water-way, have been paid for the amount and value of those rights of water-way, but nothing has been taken into consideration as respects the advantages which will arise to them from having a land-way to their property, instead of a water-way?—It is impossible for me to answer the question as to what operated in the mind of the gentleman to whom the question was referred in making his award. That is a very important element in the affair; and I cannot suppose that any gentleman would entirely exclude it.

277. With respect to building on the embankment, I believe that it has always been understood from the first, that the embankment is to be free and clear for the public, and that no ground, with the exception of a very small portion,

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tion, is to be occupied with any buildings whatever?—It is so.

278. People have asked with respect to making a line of buildings of a large size, and I presume high buildings, parallel to the wall and embankment of the Thames, and I believe that you have stated that you have no power whatever to interfere with the present buildings, and to cause the erection of another pile of buildings?—Just so; hence our application to Parliament this Session.

279. If such a pile of buildings were erected, of course it would interfere with the light and airiness of the adjoining properties?—That might or might not be so.

280. I believe that all the properties adjoining the embankment are on a higher level than the embankment?—I do not know about that.

281. Mr. *Tite.*] You have given a great many figures referring to the cost, or the probable cost, of these great works, and giving, on the other side, the report of your profit; I think that the Metropolitan Board of Works will want, in order to make the two ends meet, a certain sum of money, which I understood you to say was 170,000 *l.*; is that so, or what is the figure?—£.103,000, with regard to those special works.

282. Then, if you are supplied with 103,000 *l.*, being the excess of the estimates, you will be able to go through with these works?—Yes, supposing that our estimates for compensation are realised.

283. With regard to the Duke of Northumberland, you have no intention of imputing to his Grace himself even any knowledge of all that has happened, with respect to this matter?—Not at all.

284. A claim is made by his solicitors, and by his surveyors, and by his agents; it is met by your architect; and finally it is either referred or sent to a jury, and you know nothing of it further than that a sum of 20,000 *l.* has to be paid to the Duke of Northumberland. You do not know the steps?—Not at all. The Duke, I believe, is in the hands of very respectable solicitors and agents, and he has just acted as any other proprietor would have acted, having regard to the advantages which he has under that Act of Parliament. It is not the Duke that we are complaining of, it is legislation. I must not say that it is this House which has committed the error, but there has clearly been an error committed in limiting the Board in carrying out this work, which has led to the practical difficulties to which I have referred. The Duke has acted respectfully and properly throughout. I have not the slightest complaint to make of the Duke; he did just what any private person would have done.

285. You believe that it is a wasteful expenditure of money?—Yes.

286. If you had had the ordinary clauses which you have in London, you would have taken the property and used what you thought fit, and sold the remainder of it?—Yes.

287. With regard to the lessees, or the occupiers if they were not lessees, their claim was dealt with in the same way, and paid for, I apprehend, in the same way?—No doubt.

288. You still not being able, in that case, to obtain the property, but simply having to compensate?—Yes.

289. With regard to the original Bill, you were asked some questions as to how it was promoted. Was it or not promoted by Messrs. Baxter, Rose, and Norton, as Parliamentary Agents?—I believe that it was.

290. Are they the ordinary Parliamentary Agents of the Government?—I do not know.

291. Who was the engineer?—Mr. M'Clean, I think. I believe that he was consulted by the Government on this matter, and he gave evidence.

292. In what character did the Metropolitan Board appear before that Committee; did they petition?—We appeared rather to watch the proceedings and to struggle against any adverse clauses which might be suggested.

293. At that time it was not at all known that the Metropolitan Board would have anything finally to do with it; it was not so proposed in the Bill?—I am not sure when that change took place. I think that it was in the Bill.

294. You do not happen to know whether I was invited to act upon that Committee?—I do not remember.

295. Did I tell you that I had not been applied to, and wondered that I had not?—I think that you did.

296. *Chairman.*] What was the Committee?—I think that it was a mixed Committee.

297. Mr. *Tite*] A mixed Committee of 12, Mr. Cowper being the Chairman?—I think so.

298. With regard to the Duke of Buccleuch, Sir Robert Peel, and the other persons, was not it almost an understanding with them that if the land were given to them between their gardens and the road of the Thames Embankment, they would abandon their claims for any injury to their houses in which they were?—I do not know that there was any agreement, but certainly that was the distinct impression in our minds.

299. With regard to the street which was proposed to go across Northumberland House gardens, that was given up, and you have said that you have under consideration a street, slightly curved, avoiding that property. It of course would be improved if the Duke would consent to allow a corner of his garden to be taken?—Very much.

300. That street is under consideration and must be the subject of another Bill?—Yes.

301. Regarding the present Bill from the farther side of the railway station, the object of the Bill is not only to make a good street up into the Strand, but also to get rid of the ragged effects which are at the end of the whole street?—Yes.

302. And with that view the Board are disposed to go on with that portion of the Bill, although they have given up the portion affecting the Duke's house?—Yes. We are seeking to gain a continuation of the coal dues, and I should like to explain our views upon that subject.

303. *Chairman.*] Do you know whether the promoters of the Thames Embankment Bill made private arrangements with the riparian owners about there, and in consequence of those private arrangements proposed clauses to be introduced into the Bill before the Committee?—I am not able to speak on that point.

304. Mr. *Tite.*] Did they all appear as opponents, the Marquis of Salisbury, the Duke of Northumberland, the Duke of Norfolk. and the Drummonds; did they all appear as petitioners?—Yes.

305. Mr. *Sandford.*] Do you know whether these clauses which you object to were originally in

in the Bill as the Government introduced it, or were subsequently introduced?—I believe that most of them were subsequently introduced.

306. In Committee?—I believe in Committee.

307. *Chairman.*] In the estimate which you have given of the increased expenditure, you have included as a receipt the value of the ground-rents which you would obtain if you were authorised to erect a row of buildings by the side of the embankment?—Yes.

308. Is there a clause in the Bill by which you are called upon to pay a large sum to the Hungerford Bridge Railway Company in case you allow passengers to land on the embankment?—There is a question now under reference with respect to the claim of the South Eastern Railway Company, it is not yet settled.

309. You were desirous to explain the wish of the Metropolitan Board with reference to the extension of the coal tax?—I would desire, with the permission of the Committee, shortly to state my views with respect to metropolitan finance. In the first place, we seek for a continuation of the coal dues, and we are induced to apply for a continuation of the coal dues, believing that that is one of the best taxes which we have in the metropolis. We believe that it is the best, because it is very cheaply collected, and people have been accustomed to it now for 200 years, and we are of opinion that the coal dues, as a tax, follows more directly a man's means than any other tax which you can levy. You have, for instance, the poor man with his small fire, and you have the more wealthy man with his 20 or 30 fires, therefore the tax falls with more equality than any other tax which can be suggested. There are one or two objections generally raised to the continuance of this tax. First, that it is an oppression on the poor. Some four or five years ago my attention was called to this subject, when it was proposed that the coal tax should be continued. We happened at that time to be employing about 10,000 labourers and artisans on our works, and that gave me an opportunity of ascertaining the probable consumption of coals by different persons in different walks in life. Taking a labourer, for example, at 18 *s.* to 21 *s.* per week, I found that the extent of taxation on that labourer, in consequence of the duty of 1 *s.* 1 *d.* on coal, was just a halfpenny per week; and that upon a mechanic earning 30 *s.* per week, the extent of the tax was 5-8ths of a penny. This is not a calculation resulting from an average of 100 individuals, but is the result of a very extensive inquiry into a very large number of persons. Therefore, so far from its being oppressive on the poor, I feel that there is no strength in that argument, and that if the poor man is called on to pay a halfpenny a week for all the advantages which he and his family realise by metropolitan improvements, the formation of public parks for health and recreation, the widening of our public thoroughfares, and the improvement generally of the sanitary condition of this metropolis, it is but a slight tax, and is a fair and equitable tax even on the poor man. The next objection raised is that it is a tax upon industry, and hence the desirability to put an end to that tax. On that point also I have made very extensive inquiry, and instead of the tax being a tax upon industry, so as to restrict it, and to lessen industry in the metropolis by reason of the presence of that tax, I find, on the contrary, that, taking all the advantages of the metropolis as a port, and taking the advantages of the railway communications, a manufacturer can obtain his raw material, and can export his manufactured articles to all parts of the world from the metropolis; and such is the condition of the labour market that I have in my mind, at this moment, a firm of large manufacture in the metropolis, consuming a large amount of coal in the manufacture of their particular commodity; they have also two or three manufactories external to the metropolitan area, and yet, notwithstanding this tax, the firm in the metropolis is mastering all the firms in the country. I had a case the other day: I put a question to a very large iron ship builder on the Thames, and I asked him, "Does the 1 *s.* 1 *d.* a ton for the coal dues depress your iron manufacture in the metropolis?" He said, "Of course, as a manufacturer, I should be glad to get rid of any impost, and the removal of a tax of 1 *s.* 1 *d.* would be a relief and an advantage to me; but if you asked me the question if I were about to commence an establishment equal to my own, either on the Tyne or on the Thames, which place I would elect to settle down at in order to commence that manufactory, having regard to the advantages of the metropolis as a port, and to the several communications by rail and water, both for obtaining the raw material and for exporting the manufacture, when completed, I should unhesitatingly declare to you that I should settle on the Thames, notwithstanding the 1 *s.* 1 *d.* per ton which is charged on the coal, and independently of the carriage of the coal from Newcastle to London." So far, therefore, from this tax acting as a burthen upon industry in the metropolis, I do not find, by inquiry, that that is proved. The tax is well understood; it has been long borne, and I believe that, with the exception of a few manufacturers, no complaint has been made against it. If it were proposed to repeal the tax to-morrow I believe that there would be such a combination amongst the coal owners that the consumers would not realise one-half the value of that tax; and as it is, in my judgment, absolutely essential that we should have some means of indirect taxation to carry out metropolitan improvements, I know of no tax so equitable, so cheaply collected, and which falls with such equality upon the consumer, as the coal tax. The whole question of taxation in the metropolis appears to me to be out of joint. I think that, in the first place, the metropolis is not properly and equitably rated; I think that, on inquiry, this Committee will find that there is a great want of equality of rating in this metropolis. We have adopted a principle, from one generation to another, of fixing upon the poor's rate as the proper estimate of the means of a citizen to pay. I think that this estimate is in many cases very fallacious; I think that it may be a fair test (and no doubt has been with equal rating) of the value of the occupation of the various parties, but it forms no sound estimate of the ability of the citizen to pay, and that I hold is the first element of taxation. I hold that, in imposing any tax, we must have regard to the ability of the party to pay. This metropolis differs very much from other towns; it is more like a number of provinces grouped together than a town with a united interest, and an interest in common. The interests are separate and distinct, and hence the inequality of rating in the one district or in the other. But we have an illustration of what I have stated very forcibly placed before us by a contrast

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contrast in the case of a clerk, for example, who is receiving his 250 *l.* a year, and who occupies a house at the annual rent of 50 *l.* That clerk is called upon to pay in rates and taxes about 25 *l.* in the year. On the other hand, we have a merchant or a professional man, occupying premises of a rental not exceeding that of the clerk who has an income of 250 *l.* a year, and yet the merchant or the professional man is realising an income of 12,000 *l.* or 15,000 *l.* a year, and still his contribution to the metropolitan burthen is measured by the amount of his rating, instead of by his ability to pay; and hence the statement which is not unfrequently made with great truth, that the metropolis has reached its limit in direct taxation, and that any extension of that principle would become oppressive. It is stated with equal truth, that the metropolis is rich enough to pay for all its improvements, and the contradiction in those statements is found in the system of direct taxation being oppressive on a certain class and rank of citizens, but not reaching those whose ability in the payment of taxes is far beyond that class. You have the merchant, who has all the advantages of the sanitary condition of the metropolis, improved by these outlays from time to time, making his 10,000 *l.* or 12,000 *l.* a year, riding off by rail to a distance beyond the metropolitan area, and he is literally contributing towards the metropolitan debts, not more than one of his junior clerks, and yet that has been deemed up to this time to be a sound system of taxation. I have long doubted the correctness of the basis of the poor's rate as a fair means of taxing. That is a view which is very strong in my own mind, and I think that the system requires alteration. It may be difficult to say how this principle is to be applied; you have the rateable property of every one within the metropolis, and you levy upon that, and that is taken as a fair criterion of the business which is carried on by the party, and of his power to pay, I deny it; on the contrary, I think that it acts very prejudicially and oppresively upon a certain class of tradesmen who in many cases are rated 7 *s.* or 8 *s.* in the pound, and any additional rating would become very oppressive; whereas, the parties who are making large sums are not rated proportionably for these common purposes. It may be alleged that they are caught by the national machinery, and have to contribute to the Imperial revenue by means of the property tax. But if it be sound that they should pay in larger proportion than the person whom I have described, who is paying out of a small income, surely it is sound in respect of local taxation, where all citizens should be equally called upon to pay to the common burden. There is another point to which I desire to call the attention of this Committee, with reference to raising funds. The Metropolitan Board of Works, as the Committee are aware, have but one source of raising funds (I am now speaking independently of the coal dues), and that is a general power to rate the rateable property in the metropolis by means of a sewers' rate. Our rate is, in point of fact, a sewers' rate, and is subject to all the incidents of a sewers' rate. That, in itself, is a landlord's tax, but it has been the practice, for many years, for the landlords to dislodge that liability by covenanting with their tenants that the tenants shall pay the sewers' rate, and thus casting the charge upon the occupier. One is met immediately by the statement that that arrangement is made with the distinct understanding that the landlord accepts a smaller rent in consequence of casting that liability upon the tenant. In theory, it would appear to be so, but in practice it is not so. For example, we have levied on the metropolis in the 10 years for which the Board has been in existence a very large amount of taxation other than that due to sewers. When the Metropolis Local Management Act came into operation in 1856, or rather, when it was passed in 1855, the principle of a sewers' rate was continued, for what reason I know not, except that we succeeded to a body whose duty it was to construct and maintain sewers, pure and simple; but our powers extended very much beyond that of sewers, and we were called upon to carry out, and have, in practice, carried out, other improvements, such as the formation of new streets, the widening of existing streets, and the formation of public parks for the health and recreation of the people, and yet we are called upon to carry out these improvements by the means of a sewers' rate which the landlord has dislodged and practically made an occupier's tax. Now, supposing, for example, that one of the large proprietors of the soil in the metropolis, 20 years ago, granted leases to 500 persons with the ordinary covenant that they should pay the sewers' rate, surely it never could be alleged that it was a part of the contract, 20 years ago, to undertake the widening of streets, the formation of new streets, and the formation of parks and public buildings, as a part of the expenditure due to sewers, yet such are the covenants existing in many cases in the leases of these large proprietors. Indeed, the sewers' rate, which, in law, is a landlord's tax, is becoming more and more an occupier's tax, and hence the grievance to which I have referred, that the extension of direct taxation on the occupier would become oppressive unless some other mode of raising funds were provided by Parliament. Therefore, I suggest, that the Board should have the power of levying, I will not call it a property rate, but a rate on property; and that all proprietors, whatever interest they may enjoy in any property, should pay in proportion to the interest which they have, and that it should not be lawful for them to object or to cast that burden on the occupier; and that the principle to be adopted, should follow the practice in respect of the Property Tax, where it is not lawful for the landlord to compel the tenant to pay. You would then take the property at its right, namely, at its full net annual value, and you would travel down, catching every interest, whether it was that of a mortgagee, or of a person who had a beneficial lease, until you came down to the ground rent, each party paying in proportion to the property or interest which he might have in that building. I would propose at the same time, that coupled with that provision, we should have power to levy a sum, restricted, if needs be, by Parliament to any particular amount, but that we should levy at the same time an equal or a smaller sum upon the occupiers, so that the Board should not by any caprice of its own, cast any burden upon property, but that the occupiers should bear what might be considered a fair proportion of the rated expenditure for metropolitan improvements. I venture to suggest, that the principle could be carried out without difficulty, and the proper amount would be obtained from those large proprietors who are

not

not now contributing one shilling to the Main Drainage Rate, and to the improvement of streets. In point of fact, an immense advantage results to these large proprietors from the improvements which we are carrying out, and they receive a reversionary value without paying one shilling to metropolitan taxation. It does occur to me very strongly, that in order to have an equitable mode of taxing those parties, we should, at all events, have the means of taxing property in a fair and equitable proportion, and that we should have means, if possible to catch the parties who are now escaping their fair share of the metropolitan burden, and that we should have the indirect tax continued, namely on coal, without which, or some tax in substitution, I venture to say we shall never be able to carry out the large improvements in this metropolis; because, while we admit the theory of direct taxation bringing the executive body more under the control of the parties who pay the taxes, yet unhappily in this country, either from not being schooled up to that point of political economy, or for some other reason, we always find a difficulty in collecting the sums which we required in that shape from the parties for carrying out those very improvements which we are called upon under our powers to make, and which are rendered so necessary by the growing wants of this metropolis. If we had no other source of revenue than direct taxation in the metropolis, neither the present Board nor any other Board which could be constituted in this metropolis, could by possibility carry out half of the immense improvements which are now so much required in it, but we should have a sort of rebellion in our districts, and our powers would be paralysed and we should be defeated in the very object for which Parliament has created us. I have ventured to make these few suggestions for the consideration of this Committee, feeling that the system of taxation in the metropolis is at present most unhealthy, and that we must look to some other sources, and adapt our taxation in a manner which will be more easily borne by everybody, especially having regard to the capacity of the citizen to bear the taxation so levied.

310. Will you be good enough to go on with the point from which we departed. Has the Board undertaken any other works besides those which you have described?—There is the Southwark-street, which is completely opened.

311. What was the expense of that street?—£. 596,706 19 *s.* 1 *d.*

312. Have you any property in your possession resulting from that improvement?—Yes. I think that with the exception of, perhaps, 10 or 12 lots, all the land has been let. Some buildings are now in course of erection, and others are completed. So soon as the property is covered and the ground rent is secured, we shall take those ground rents into the market to sell for the purpose of recouping ourselves for a part of the cost.

313. What will be the estimated value of the ground rents?—About 79,000 *l.*

314. How have the funds been provided for that improvement?—About 90,000 *l.* is a credit to that improvement, and also to the improvement in Covent Garden, and the other portion is found by means of rates, money being borrowed on the general rating powers of the Board, to make up the balance.

315. Has the whole of that expenditure been discharged out of the resources?—No.

316. What remains to be discharged?—I think 300,000 *l.*; we have paid off 100,000 *l.*

317. Upon what is that 200,000 *l.* charged?—A general rate.

318. Levied by the Metropolitan Board?—Yes.

319. From which you will have to deduct the 79,000 *l.*, the value of the re-sales?—No, it is independent of that. That account is not yet closed; we are unable to balance these accounts until we have disposed of the land, and that is a matter of uncertainty until we have fixed the amount of ground rent; something also would depend upon the market when you sold the ground rent.

320. Estimating a reasonable value for the ground rents under your control, what would be the net balance remaining, in respect of that improvement?—

321. What is the next improvement?—Covent Garden-street.

322. How much have you spent upon that?—£. 125,446 10 *s.* 9 *d.*

323. What have you received to repay that amount?—In returns, about 32,000 *l.*, and we have to receive an estimated amount of 25,660 *l.* 2 *s.* 1 *d.*

324. Has the balance of that improvement been paid, or is that a debt due from the Board?—That is completed; we have paid it out of the coal dues; it is specially provided for.

325. In these two streets did you make subways?—Yes.

326. Have you used the subway in the Covent Garden-street?—It is now partially used; it is occupied by gas; I am not sure whether it is occupied by water.

327. Do they pay you any rent for the use of it?—They do not at present.

328. Are they liable to pay any rent?—Not except they make arrangements, which we have no power to compel them to make with us.

329. How long have they used the subway?—I should say two and a-half years.

330. Has any inconvenience been suffered from it?—Not the slightest; there has been a great convenience.

331. Has the subway under the Southwark-street been used yet?—It has not; there is only a small pipe for the street lamps; the surface of the street has been broken up.

332. The companies have refused to use that subway?—Yes.

333. Have you no power to compel them to use it?—We have no power.

334. Then, why have you made it without having the power to compel them to use it?—We have made it in the interest of the public. Feeling the great inconvenience of our public thoroughfares being broken up from time to time by the gas and water companies, and the difficulty in replacing the surface of the road in anything like the condition in which they have found it, and also the interruption of public traffic, we deemed that this mode of carrying the pipes would avoid all those public inconveniences, and hence there was a determination of the Board to carry out that arrangement. We applied to Parliament for compulsory powers to make arrangements with these companies, and expressed our willingness to refer the question of charge to the President of the Board of Trade; but we were

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met in Parliament by all the companies combining, and we were ultimately obliged to withdraw the bill after fighting at a considerable expense for some time. But the Board, notwithstanding that defeat, are not discouraged. They still feel that in the interest of the public they were justified in forming these subways, and that public opinion will ripen to that view before long; and the Board, in pursuance of that opinion, are forming subways in the Thames Embankment, and in any new street which they may form they will place a subway, believing that Parliament will ultimately give them the necessary power to compel these companies to place their pipes in these subways, instead of breaking up the streets as they have hitherto done.

335. Have you any power to compel the companies to put their pipes in the Thames Embankment?—No.

336. Are you of opinion that after Parliament has allowed them to put down their pipes in the streets, Parliament will compel them to take them up, and put them in the subways?—I cannot say. Of course the subway would be the most convenient place. We have made the subway at considerable expense, and we consider it a public grievance that these companies should still be permitted to break up the surface of our streets.

337. Upon what principle do you expect to get power to compel the companies to lay down their pipes in the subways, they having had power to lay them down in the streets?—That is only as to one subway. A Committee of this House would have given us power to compel the water companies to put their pipes in these subways, and not the gas companies. We felt that the gas companies were the greatest sinners, and we considered that there would be an inconsistency in one being compelled to do so and not the other. Therefore, we withdrew the Bill; and we shall apply again to test the opinion of Parliament upon that subject.

338. Was the cost of the subway considered a part of the street improvement?—Yes.

339. And it was paid out of the funds for the improvement?—Yes.

340. Supposing that you carry your Bill for subways, do you propose to make subways all over London?—No; but in new streets, and, probably, in some of the main thoroughfares. It would be very convenient if we had a subway past the Mansion House, or Charing Cross, or some of those leading thoroughfares, which are constantly interrupted by the companies breaking up the streets; but in some of the smaller thoroughfares it would not be necessary.

341. Are those streets to which you refer under your jurisdiction?—No.

342. Should you seek to take powers for subways under them?—I am not prepared to say to what extent I should go. If we put an embankment into a private Bill, and if we have all the gas and water companies upon us, and have to fight with them, it is scarcely prudent for us to fight that question, and, therefore, we thought it better to place the subways in a separate Bill.

343. If you do so, do not you enhance the difficulty of doing it afterwards?—In all our Bills we take power to form subways, and to agree with the companies. The water companies have statutory powers to break up the streets.

344. They have no powers to break up streets which are not already formed?—So soon as those streets were completed, they would have power to break up any street.

345. But if it was a condition imposed upon them that the street should not be broken up, they would not have that power?—That is a question for Parliament.

346. Do you not yourselves come under an obligation to let them break up the streets, if you do not choose to introduce into the Bill a clause restraining them at the time when you make the street?—Then you raise the whole issue.

347. Are there any other street improvements under the jurisdiction of the Board?—The Victoria Park Approach cost 43,430 *l.* 17 *s.* 5 *d.*; that is completed.

348. What is the return from that?—There has been received 5,519 *l.* 14 *s.* 11 *d.*, and there is to be received about 4,680 *l.*

349. Is that the whole of the estimated return?—Yes.

350. What is the balance upon the cost of that street?—£. 42,000, subject to this amount.

351. Has the net balance been paid yet?—We borrowed in order to defray the cost of that improvement, 42,000 *l.*

352. Has the debt been repaid?—£. 14,800 has been repaid.

353. What is the balance now remaining?—£. 27,000. Then there is the Finsbury Park, which has cost 59,567 *l.* 10 *s.* 5 *d.*, and the Southwark Park, which has cost 59,271 *l.* 14 *s.* 4 *d.* We have purchased the fee, and we are now arranging with the tenants, and it, I think, will be commenced almost immediately.

354. What is the cost of making the Finsbury Park?—We have not yet laid it out; we are now arranging the plan.

355. What will be the cost?—I cannot say; it will depend upon the principle adopted.

356. Have you power to dispose of the land?—We have power to dispose of about 20 acres for building purposes; we shall belt the park, and let it for building purposes; it will be a ring not entirely round the park, but nearly so.

357. Have you estimated the value of the building plots which you will be able to sell?—Not yet; that plan is now before us, and we have not yet quite determined upon it; but we shall have some considerable return.

358. Enough to lay out the park, and to repay some of the expenditure?—Yes, more than that.

359. You cannot now state what will be the whole expense on account of the Finsbury Park?—Not yet.

360. Whence did you derive the funds for making Finsbury Park?—We borrowed the money under our general powers; on the rates.

361. What is now owing on that account?—£. 46,666.

362. But you hope that that sum will be repaid you when you let the lands?—Yes.

363. Southwark Park has also been undertaken, has it not?—Yes.

364. What have you done towards carrying out that design?—We have purchased the fee, and have expended 59,271 *l.* 14 *s.* 4 *d.* We are now negotiating with the owners, and we shall appropriate it at once to public purposes.

365. Do you propose to let out any of the ring round the park for building?—Yes, a small portion.

366. Will the income to be derived from it be sufficient to lay out the park?—We hope that it will do more than that.

367. Whence did you get the funds for Southwark Park?—That is also a charge on the rates.

368. How much of that remains outstanding?—£. 6,000.

369. Which sum will be reduced to some extent by your returns?—Yes.

370. Are there any other works of importance which the Board has undertaken?—We have commenced the formation of a new street in Whitechapel, connecting the two large thoroughfares, namely, the Commercial-road and Whitechapel; and we have also commenced the removal of Middle-row, Holborn.

371. What is the estimated amount of the Whitechapel improvement?—£. 175,000, I think, is the amount; and for Middle-row, Holborn, 61,000 *l.*

372. Would that sum be the net cost after deducting the receipts upon the re-sales, or would it be the gross cost?—I think that it would be the gross cost. It is a work which is now in hand, and there is difficulty in getting an estimate.

373. For Middle-row you would get no return?—No; it is to be entirely removed.

374. But in Whitechapel you would get the frontages on both sides?—Yes.

375. And those would be of considerable value?—Yes; we hope to realise a considerable sum from that source.

376. Are there any other improvements which you have taken by the special sanction of Parliament?—No; we are applying for powers, but we have no powers to carry out any other special improvement.

377. I apprehend that you have undertaken a number of small improvements, and have contributed to other improvements?—Yes; the Board have contributed to minor improvements in the City, and in different parts of the metropolis, joining with other parties in carrying out improvements.

378. Have all those been paid for out of the current annual income of the Board, derived from the rate which they levy in the metropolis?—Yes; entirely.

379. Have your Board also undertaken minor sewerage works, or contributed towards them?—There are other sewers besides the large main intercepting sewers, undertaken by the Board, which are scheduled to the Act. Many of those sewers are still open, being injurious to the inhabitants and to the public health, and we propose to cover them over, and the estimated cost is 800,000 *l.*

380. Will any of those be undertaken by the districts?—No; all expenditure is a metropolitan expenditure.

381. Can you give us the total amount which the Board owes upon those several accounts which are charged against its general revenue, or general rate?—I will hand in these papers, which will give all the particulars, and also the sums raised by the Board from time to time since 1856.

382. What is the debt and the liability of the Board charged upon its general rate, as separated from the debts and the liabilities of the Board charged upon special funds, which you have gone into more in detail?—The only special fund is that for the Thames Embankments, north and south, and the Mansion House-street.

383. For the purposes of convenience, I wish to have before the Committee what I call the three funds, separated. There is, first, the Main Drainage Fund; secondly, the Metropolitan Improvement Fund, in the hands of the Treasury; and, thirdly, your General Rate?—All the particulars are given in these papers.

384. Mr. *Locke.*] What are the rates; there is one for the Main Drainage; what is the other?—The other is a rate varying from time to time, but made in exactly the same way, and levied upon the same parties as the Main Drainage Rate.

385. *Chairman.*] What is the average amount of your general rate, which has been levied since the Act was passed?—It will appear in these papers.

386. Mr. *Kekewich.*] Have you any paper which you can hand in, by which the Committee can see the improvements now in progress, the contemplated improvements, and the finished improvements, and the sum now due upon them?—Yes; the papers which I now hand in will give that information.—*Vide* Appendix.

Thursday, 15*th March* 1866.

MEMBERS PRESENT:

Mr. Ayrton.	Mr. Alderman Lawrence.
Mr. T. G. Baring.	Mr. Locke.
Mr. Bazley.	Mr. Mill.
Sir William Gallwey.	Sir Matthew White Ridley.
Mr. Kekewich.	Mr. Tite.

ACTON SMEE AYRTON, Esq., in the Chair.

Sir John Thwaites, called in; and further Examined.

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387. *Chairman.*] Can you give in one figure the exact difference between the estimated cost of the approaches to the Thames Embankment as originally deposited, and the estimated cost of the approaches to the Thames Embankment proposed under the Bill of the present Session?—I have no estimate of the approaches sanctioned by the present Act, it not being the intention of the Board to carry out those approaches; they have rather directed their attention to the new approaches, the estimate of which I have given.

388. You gave us the gross estimate of the original work, but are you aware whether it was divided into works and approaches?—I stated that the additional cost of the new approaches, added to the whole, would be about 270,000 *l.*

389. But you have not a note of the division of the gross charge for the Thames Embankment originally sanctioned, into works and approaches?—I have not it in that form. I have an estimate of the approaches as proposed in the Bill now before the House. The gross estimated cost of the several approaches as indicated in the deposited plans now before the House would be 1,046,775 *l.*, and the return 582,075 *l.* Of course those approaches would be altered to the extent of the one suggested through Northumberland House, and excluding that for the moment, the gross cost would be 542,275 *l.*, and the returns 262,575 *l.*, making the net cost 279,700 *l.* Of course some other approach than that at Northumberland House must be substituted, and therefore the cost of that is not included in this account.

390. Will you be good enough to state what would be the outlay on the next measure for which you have introduced a Bill in the present Session, namely, the Chelsea Embankment?—The gross cost would be 251,000 *l.*, and the estimated return 45,000 *l.*, leaving a net sum of 206,000 *l.*

391. What would that work embrace?—It would embrace an embankment of considerable length, and the widening of the roadway, and the southern part of Cheyne-walk, which is now approached under a narrow gateway, that would be widened, giving an equal capacity in that part of the street to the other.

392. What is the other improvement which you propose in the present Session?—The improvement in Park-lane, the estimated cost of which, net, would be 105,000 *l.*, and as all the ground would be thrown into the public way, there would be no return upon that. The fourth improvement is an improvement in High-street, Kensington. The Committee are aware that there is a very narrow part and a sharp angle nearly opposite the church which very much interferes with the traffic, and accidents are constantly occurring; we propose to widen it, and to set it back, and it is rendered the more necessary by reason of a railway station which will be placed contiguous to it, and will very much thicken the traffic, and increase the mischief. The gross cost of the Kensington improvement would be 153,575 *l.*, and the returns 65,575 *l.*, leaving a net cost of 88,000 *l.*

393. What is the total expenditure to be incurred in these improvements for which you are applying in the present Session?—The whole would be 863,700 *l.*

394. That is including the Thames Embankment?—That is including the approaches, less the one through Northumberland House, and some other approach must be designed, the cost of which of course I am quite unable to state until the plan is determined, but it will considerably increase the 863,700 *l.*

395. Mr. *Locke.*] There is likewise the improvement at Middle-row, Holborn, is there not?—Yes; that is an improvement which we are carrying out under powers already granted by Parliament; there is also Whitechapel. What I have now referred to is included in the Bills now before the House.

396. *Chairman.*] Are we to understand that it is the opinion of the Board that they are not in the possession of any funds for the purpose of carrying out the improvements for which you are now applying to Parliament?—Certainly not, without some additional powers to those which we already possess.

397. Mr. *Locke.*] With regard to Middle-row, Holborn, and the improvement of Whitechapel, have you already any funds?—It is a charge upon the rates.

398. There is no special fund?—There is no special fund in respect to those two improvements.

399. There is no fund any more than there is for these improvements for which you are applying?—Just so.

400. Can you form any idea what the expense of the street to the Thames Embankment from Trafalgar

Trafalgar-square, not passing through Northumberland House, would be?—Do you mean in a curved line?

401. Yes.—West or east?

402. Whichever you resolve upon?—I am unable to say; the estimates have not been presented.

403. But you pass through houses?—Yes, it would be an expensive approach in any manner.

404. But not so expensive as Northumberland House?—I am unable to say without having the estimates.

405. With respect to Park-lane, do you propose to take all the houses on the left-hand side, from Piccadilly?—Yes. We should make that 80 feet wide.

406. How far would that reach towards Hamilton-place?—Simply to the extent of the Duke of Cambridge's house. If we took the Duke of Cambridge's house we should make a 70-feet street, and we should have no land to dispose of, and therefore it is better to make an 80-feet street, because it is quite clear that if this improvement be carried out, namely, the widening of Park-lane, an improvement all the way up Park-lane must very soon follow, that is to say, a small portion being taken from the Park to widen the roadway from one end to the other, and that is the proper thing to be done.

407. Are there not several houses between the north end of the Duke of Cambridge's house and the garden?—There are two or three houses.

408. Then your proposal is to clear away all the houses on the left hand, including the Duke of Cambridge's house?—Yes.

409. When you have taken down all these houses you will leave the sides of houses upon which they abut, will you not?—I think not.

410. You propose to leave it entirely to the parties to mend the sides of their own houses?—Yes; I think that the owners or occupiers of these houses would dress up their fronts facing Park-lane, and they would have an access which they have not under present circumstances.

411. But that is left to them to do as they please?—Yes, it would follow, as a matter of course, that parties would decorate their own houses, and especially houses of that value.

412. What are those houses, are they the houses looking into Hamilton-place?—Yes, the rear of those houses.

413. Then those houses looking into Hamilton-place have a very good frontage into Hamilton-place?—Yes.

414. That is where their entrance is, and you think that they would put an ornamental back to their houses, as well as a front?—I have no doubt of it.

415. That is left to them to do?—Clearly.

416. Do you think that there would be a very beautiful entrance to the street under those circumstances, supposing that they should not choose to do anything, and that they should be satisfied with one decent looking side to their house, as is usual in London?—We should have no control over that property; that is quite clear. I think that it will follow so much as a matter of course that I have no anxiety at all upon that point.

417. What will be the width from the corner when the Duke of Cambridge's house is taken down; what is the width from the west side of the Duke of Cambridge's house up to the corner of Hamilton-place?—I do not know.

418. You do not know how many houses there are there?—No.

419. Mr. Alderman *Lawrence.*] Is there any sum included in the present estimate of the Thames Embankment for planting or forming enclosures, or doing anything upon the surface?—I am not quite clear upon that point; I am unable to answer the question; it is a small matter, comparatively speaking.

420. When the Board of Works have completed the embankment, with whom will the management and repair, and general control of the affair be lodged?—I think that the structural works and the ground which is planted and dedicated to the public will be under the control of the Board, but that the roadway will be under the control of the parishes as respects lighting and cleaning, and other duties and obligations of that sort.

421. The present estimate, I presume, includes forming the road and the footway, and everything complete?—Yes.

422. And the gas pipes, and the lighting?—Yes; we should hand it over complete, as we do in all cases.

423. The local Board afterwards will have the lighting, paving, watering, and scavenging?—Yes; we should light the street, and in every way complete it.

424. As to the piers and landing places for the boats, will the Board have anything to do with them?—Except the repair; I suppose that that would be a matter for the Board. Some one must have charge of the embankment wall. We do not apprehend that for the next 200 years it will require anything.

425. Will the Board receive the tolls?—We are rather dealing with existing piers and rights, and it is a question whether the Board will receive any tolls.

426. Will the Board make communications from the embankment to every street which now runs into the Strand?—I think that most of the streets will be opened up; some are railed at present. I think that in most cases provision is made for opening up those streets which run at right angles to the embankment.

427. Will the Board make communications from the streets running out of the Strand to the embankment?—Yes.

428. Mr. *Tite.*] With regard to Great Southwark-street, which is the case of your best experience as Chairman of the Metropolitan Board, I think that in many cases there were instances where ragged ends and ragged sides approached upon the street; have they been bought in some cases, and in point of fact in all cases with which you have been acquainted, and have they been pulled down and associated with the frontage plan of the Board?—The tendency of the formation of a large thoroughfare like that is to improve the property laterally to a considerable extent, and to a considerable distance; the consequence is that small properties, which may have been completely excluded from a public thoroughfare, become important properties by reason of their abutting on a new and important street, and they therefore have been converted into other and more important buildings.

429. I refer to a case particularly, near the Borough in Southwark, where there was a warehouse which was ragged and ugly looking, and which has all been pulled down, and an enormous area has been created in connection with the frontage which the Board were enabled independently to deal with?—We have disposed of land

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land at a very good rate to parties having property in the rear who have built out at the front, and have utilised their back ground with great advantage to the Board, and some advantage to the public.

430. Mr. Alderman *Lawrence.*] Is it not your opinion, that in the case of Southwark-street, looking at it as it is now, a larger amount of the back property ought to have been taken to have enabled larger premises to have been built in many portions of that street, which cannot now be done with the present size of the ground?—It might be so with respect to one or two plots of ground, but as a rule we have been able to dispose of the land, and very large warehouses have been built on either side. Of course we are obliged to exercise some discretion in determining the number of houses to be taken, and that is especially so in Southwark-street; in one or two cases we had almshouses and buildings of some considerable extent. Had we touched the angle of those buildings we should have been compelled by the trustees to have taken the whole, and to have provided for them elsewhere at a very great cost. The land so acquired would not have reimbursed the Board for the very heavy outlay; therefore, whoever carry out public improvements must discreetly deal with that question; it is not one free from difficulty.

431. Mr. *Tite.*] Therefore, in laying out streets of that nature, that is necessarily and naturally one of the important considerations with reference to the possible result of the cost of the improvement itself, and in addition you have the natural jealousy of Parliament not to allow too large a latitude in that particular?—That is so; and as a rule, except in special cases, you do not realise any additional ground-rent for the outlay in dislodging all the interests which you must deal with in clearing the ground.

432. Mr. Alderman *Lawrence.*] In your opinion, in making a great public street, ought not the public to be more considered than whether a certain amount of rents should come back to the Board in making that street, that is to say, should not there be deep and large premises in an important street rather than shallow ones, although large and deep premises might not give the same return to the Board in proportion to the expense incurred as those of low depth?—That is, I think, rather begging the question; it is assuming that all the buildings right and left, in a very long and important street, must necessarily be very large warehouses, and buildings covering a very large area. If it were so, you might not dispose of your land for 10 years; you must have land suitable for all purposes, and in most of our land in Southwark we have ample depth for the purposes of business, for shops and ordinary warehouses, and we have special plots which are equal to the large warehouses which have been built.

433. My question is, whether, in making a new street, the public advantage and the public benefit should not be looked at first, rather than the amount of return?—I do not know what the Honourable Member means by "public advantage;" if the public advantage is not in the formation of a wide and convenient street, with sufficient ground on either side to make a creditable front, and give some return to the promoters, I do not understand the *locus standi* of the public in an improvement.

434. Mr. *Locke.*] How is it as to appearance?—The appearance is clearly maintained, because I assume that you have a sufficient quantity of ground.

435. As to appearance, do you not think it an advantage to have all the houses of the same height in a street?—That may or may not be so.

436. That is not the case, I believe, in Southwark-street?—It is not the case in some instances, certainly.

437. Mr. *Tite.*] You interfere as little as possible with the particular views of those who take your land, either in point of taste or in height; you endeavour, I presume, as much as you can, to get a creditable elevation, and a sound building, and that is all that you can do; you cannot interfere with individual tastes or necessities?—That is so; we have no desire that every house in a street should be of the same size and elevation. On the contrary, our Board rather desire to avoid that state of things, as it would become monotonous.

438. Mr. *Locke.*] You do not desire to obtain uniformity?—Not absolute uniformity; we desire in each case to obtain a creditable building; uniformity, I presume, would rather destroy the very object which we have in view.

439. You do not require uniformity in height, or in architectural design, or, in point of fact, in anything?—We undoubtedly have regard to the height of the buildings; it is not necessary that each house should be of the same height.

440. Is there not as much as 15 to 20 feet difference in the height of the houses in Southwark-street?—In some cases they have built very large warehouses, and have carried them up to a very considerable height.

441. And next to them, are there low houses?—Next to them there are houses of an ordinary height; not low houses.

442. Mr. *Kekewich.*] Are any other improvements contemplated by the Metropolitan Board of Works, except those which you have alluded to at Kensington, and at Park-lane; I mean upon a large scale?—Yes; we have several improvements before us.

443. On a large scale?—Yes.

444. Do you think that the revenues derived from the coal-tax and the wine-tax, and also from the rate upon the property of the metropolis, are sufficient to carry out all those improvements if they are continued?—Yes, from time to time, no doubt.

445. *Chairman.*] Have you made any arrangement with reference to the river, which you are to embank at Chelsea; as to the rights claimed by the Crown?—No.

446. Do you propose to take your Bill subject to any clauses which the Crown may see fit to put in?—We shall be, as we always have been, feeble to resist the clauses of the Crown.

447. Does your Board think that, when you are carrying out a public improvement, it is reasonable that the Crown should lay claim to rights which are of no public benefit?—We do not think it reasonable, nor is it that which we anticipated when these arrangements were first made. It interferes with respect to the sum to be paid for these improvements, and as they are carried out by rates from the inhabitants, it appears to us to be very impolitic, to say the least of it.

448. With regard to Park-lane, it being a street which is made between the houses and the park, have you made any application to the Crown to

continue that street in its true character to Hyde-park Corner?—We have had a communication with the First Commissioner, and we have stated to him that in order to realize the advantage of this improvement, Park-lane proper must be widened from one end to the other, and I did not understand from him that he at all dissented from that view.

449. Have you ever proposed to him to continue Park-lane to Hyde Park Corner?—We have made that suggestion.

450. What has been the answer given?—There has been no positive answer, but the result of the conversation led me to conclude that the First Commissioner did not see any objection to that course, and that he thought that it would be a reasonable thing.

451. Then, why have you not applied to the Crown to sanction the extension of Park-lane to Hyde Park Corner?—That is a matter which will be carried out by the Crown; it is a very difficult question to touch Crown property.

452. Have you applied to the Crown to continue Park-lane, in its character of being between the boundary of the Park and the houses, to Hyde Park Corner?—We have not formally applied. We have stated, in conference with the First Commissioner, that in order that the public might have the full benefit of this improvement, it would be necessary to widen Park-lane up to the Marble Arch, and the only mode of widening Park-lane would be to give up so much as might be required from the Park. The Crown, as you are aware, are exceedingly jealous of any interference with Crown property, and therefore it is rather a matter for the Office of Works than for our Board.

453. Did the Metropolitan Board, in your judgment, think that it would be the most economic as well as the most convenient manner of dealing with Park-lane, to continue it from Stanhope-gate to Hyde Park Corner?—When the subject of giving some relief to Park-lane was under our consideration, we examined all the suggestions which had been made, and there appeared to be three proposals: one, to widen Park-lane proper, such as is now contemplated under the Bill; a second, to open up Hamilton-place, making a roadway through those gardens, which would probably have been at a cost of 15,000 *l.* or 16,000 *l.*; and a third, that some arrangement should be made with regard to a gate next to the Duke of Wellington's house up into Park-lane, giving relief through the Park. The First Commissioner distinctly objected to any interference with the Park, and ultimately consented, so far as he was concerned, to the Board applying to Parliament for the purpose of opening up Hamilton-place. We did so apply, and, as you are aware, failed in our application, and hence the present proposition to Parliament to widen Park-lane.

454. The Board finding that Park-lane was a road between the houses of private individuals and the Park, wished to continue that road, so as to make a road between Apsley House and the Park; did not they send a deputation to the First Commissioner of Works, to ask that a road might be made from Stanhope-gate to Hyde Park Corner; that is to say, separating Apsley House from the Park in the same way as all the other houses are separated?—Yes.

455. That the Commissioner of Works refused to do?—Yes.

456. Can you state generally what it would have cost the Metropolitan Board of Works if they had paid all the expenses of continuing Park-lane in that way?—I do not think that we ever had an estimate.

457. How much do you suppose that it would have cost the Board?—It was a mere matter of fencing-off.

458. In that case the Park would have been given up to the extent of a few feet of ground, and the Board would have been saved nearly 105,000 *l.*?—Yes.

459. So that in all the public improvements which you have undertaken in connection with the Crown, they have been made as expensive as possible to the ratepayers, in order to meet the views of the officers of the Crown?—It is quite clear that for any property which we have taken we have certainly paid as high a rate, if not higher, to the Crown as to any other party.

460. Having first indemnified the foreshore owners for the value of their wharfage, the Crown have compelled you to pay a large sum for the Northern Embankments; they have repeated the same thing on the south side of the Thames, and propose to repeat the same thing in the case of the Chelsea Embankment; and they have proposed to repeat the same thing in the case of the Hyde Park improvement?—So far as the Chelsea Embankment is concerned, we are in happy ignorance at present; but I have no doubt that the same proposal will be made, that we shall pay for the foreshore in proportion to the area reclaimed. We have paid for the foreshore on the Northern Embankment, 26,375 *l.*

461. Having first paid all the owners on the foreshore for the full use of that foreshore in the way of wharfage rights?—Yes, and all the rights real or supposed.

462. And you have given up gratis to the Crown all the land which you have reclaimed in front of the Crown property?—That is so.

463. They having contributed nothing to the reclamation of that ground?—Not one shilling.

464. Therefore, in all the public improvements in which the Crown is concerned, does your Board feel that the Crown has taken advantage of those improvements to make money at the expense of the ratepayers?—I should not put it in that shape.

465. Mr. *T. G. Baring.*] In respect of this question, it is essential to guard against the impression that this is a matter of the Civil List. When you speak of the Crown you mean a department of the Government, and that the revenues and monies which are received nominally by the Crown are paid in the same way as any other taxes are paid?—That is so; and I have no reason to complain of the representatives of the Crown or of the position which they have taken with respect to property which has been absolutely of value and for which they have received rental; they have dealt very much in the character of trustees, and have obtained, as it would be their duty to obtain, the fair market price for the property given up. But with regard to the question which I have referred to, namely, the foreshore of the river, the Crown is not only receiving no rent, but never can receive a rent, and it has no value; it is a mere nominal right assumed or possessed by the Crown; and that we should be charged with nearly 27,000 *l.* in respect of one improvement appears to us to be a condition of things which very much depressed the desire of the Metropolitan Board or the

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the Metropolitan ratepayers in carrying out improvements wherever they are connected with the foreshore of the river.

466. Practically, in using the term "Crown" it would be merely the Department of Woods, as representing the public in their dealings with the Metropolitan Board as representing the ratepayers of the Metropolitan district?—No doubt that is so.

467. Mr. *Locke.*] Are you aware that the principle which the Commissioners of Woods lay down is, that their only consideration is to make as much profit as they can out of the lands which are entrusted to their care?—I apprehend that, taking Mr. Gore for example, it is his duty as trustee on behalf of the public, to develop the Crown Estates, and to realise as large a return as possible; and in so far as he acts out that principle, one has no fault to find with Mr. Gore.

468. He acts without reference at all to the convenience of the public, but merely with the view of obtaining as much money as the Crown possibly can?—I suppose that he works upon it very much in the same way as a private owner, and is simply anxious to obtain the largest sum which can be realised.

469. *Chairman.*] Is there not this difference between Mr. Gore and a private owner, that as against a private owner you can get an Act of Parliament, but as against Mr. Gore you cannot get an Act of Parliament, and must take any terms which he dictates?—That is no doubt the distinction, and it is an unhealthy distinction.

470. He dictating his own terms, do you think that he should be controlled by a sense of public justice?—I think that the Crown property should be placed just in the same category as the property of any private individual, and that if it is taken, it should be paid for.

471. Then in that case there would be no special clauses introduced into your Bill?—Nor do I think that there ought to be any special clauses.

472. Therefore if the Metropolitan Board could deal with the Crown property as with the property of an individual, I suppose that there is not the slightest doubt that the Metropolitan Board would have applied for the extension of Park-lane to Hyde Park Corner, so as to continue the thoroughfare to Grosvenor-place?—So far as the widening of Park-lane is concerned, we have no objection to the jealousy of the Crown in dealing with its own property, especially if that jealousy should operate to the widening of Park-lane, at the cost of the Crown, instead of at the cost of the ratepayers.

473. But if it forces you to an expense of 105,000 *l.* against 5,000 *l.*, then you do not object to it?—Yes.

474. Mr. *Mill.*] Looking at the property in the metropolis of this country, which is in the hands of the Crown, and which it is admitted is only to be administered by the Crown for the public benefit, do you think that it should be regarded by the Crown as being held for one purpose only, namely, to get the greatest amount of money from taxes, or for the general purpose of public improvement?—That is rather a question for Parliament than for our Board. I affirm with the greatest confidence that there should be no distinction between the property of the Crown and the property of private individuals. The tendency of this special legislation, is that you are unable to take any of the property without the consent of the Crown. If the effect of the improvement should be to improve very largely the property, the Crown may interpose, and say, "You shall take just so much as you require for the roadway, but we will hold all the advantages and the profit," and thus the Crown will realize an advantage which a private individual will not; and that is the mischief which we find in the working of the principle.

475. So that the Crown, as trustee of the nation for public purposes, has a greater advantage than a private owner in a matter of public improvement, whereas it ought rather to have less?—It ought not to have more; that is quite clear.

476. *Chairman.*] Is not the effect of abstracting these resources to special claims which nobody else can make, that you have now less means to carry on other improvements?—It undoubtedly increases the expenditure, and in so far lessens our funds to deal with other improvements.

477. And therefore it becomes detrimental to other improvements?—No doubt.

478. Sir *William Gallwey.*] In transactions with the Crown, have you dealt with the Commissioners of Woods and Forests, or with the Board of Works, or with both?—With both.

479. Does not Mr. Gore represent the property belonging to the Sovereign, and Mr. Cowper the property belonging to the nation?—I think that Mr. Cowper has the control over the Parks.

480. Mr. *Kekewich.*] Did I rightly understand you to say that if the Government had allowed you to make a road from Stanhope Gate to Hyde Park Corner, it would have saved the 105,000 *l.*?—Yes, it would have rendered that improvement unnecessary.

481. Would the road have gone through those gardens at the back of Piccadilly-terrace?—It would have cut in obliquely into Park-lane.

482. Those gardens are used by the inhabitants of the houses in Piccadilly-terrace, but they are, I suppose, the property of the Crown?—Yes.

483. But the houses in Piccadilly-terrace, which would be affected by these works, belong to the Dean and Chapter of Westminster, do they not?—I am not sure.

484. Mr. *Tite.*] With regard to the claims to the foreshore, how was it settled?—By an arbitration.

485. Therefore the Crown did not impose their terms in the sense which has been sometimes suggested?—I do not understand that the Crown imposed any particular terms on the Board, except the special clauses in the Bill which gave them advantages.

486. Do you know the practice all over England with regard to the foreshore of rivers and tidal waters?—I believe that the Crown claim a right to the bed and soil.

487. Always?—Yes.

488. And do many railway companies, as well as public improvements, pay for that?—I believe so.

489. With regard to the road through the Park from Hyde Park Corner, that is, in point of fact, letting the public through the Park to Stanhope-gate, and perhaps, railing it off more or less?—Yes.

490. That was distinctly proposed to Mr. Cowper?—Yes.

491. And was as distinctly negatived by him

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on the ground that he believed that the standage of carriages and horses in that very crowded part of the Park would be inconvenient?—Yes.

492. With regard to the traffic, if the Crown allowed ordinary carriages to go through that portion of the Park, as they go through Birdcage-walk, the whole question would fall at once, and there would be no expense to anybody?—Yes.

493. That has been suggested over and over again?—Yes.

494. And it has been continuously refused by the authorities, being led by Mr. Cowper?—Yes.

495. *Chairman.*] You are aware that there was a similar persistent refusal to find a thoroughfare from what is called Belgravia to Paddington, until at last the present road was forced upon the managers of the Crown estate?—Yes.

496. Are you aware whether any inconvenience has arisen from the present road?—I believe not.

497. It was made at the expense of a few thousand pounds, instead of the schemes which were endeavoured to be forced upon you at the cost of a few hundred thousand pounds, and the public has been quite satisfied with what has been done?—I believe so.

498. Mr. Alderman *Lawrence.*] With respect to the road from Stanhope Gate to Hyde Park Corner which has been mentioned, do you not think that if that road had been carried out it would have had the effect of bringing so large an amount of traffic to that point at Hyde Park Corner, that it would have caused a very great obstruction to the general traffic going east and west, as well as that going down Grosvenor-place?—Probably there might have been some inconvenience.

499. Do you not think that it would have caused great inconvenience to the persons driving and riding coming out of the Park, and have made it more difficult for riders to cross and go down Constitution-hill, than at present?—I do not think that you must assume that the whole traffic of Park-lane must necessarily have passed through that outlet, because I apprehend that all the heavy traffic, and especially that which must have turned east, would have gone down Park-lane proper.

500. Would not bringing traffic out at this point have caused greater difficulties to riders going from Hyde Park to Constitution-hill?—That would have depended upon the arrangements; it might have been made perfectly distinct.

501. Sir *William Gallwey.*] If the road had been made from Stanhope-gate to Park-lane you say that, with a small exception, it would have gone through that part of the Park from which the public is excluded?—I do not think that it would have very much interfered with the Park. I am not quite sure as to the precise line, whether it does or does not go within the present railings:

502. *Chairman.*] Its real effect would have been to disturb the comfort of 50 or 100 people who lounge in carriages there in preference to lounging in carriages in any other part of the Park; is that not the practical effect of it?—I am not prepared to say what the number may be.

503. Still the number is not very great?—The traffic there is no doubt considerable, but still I think that arrangements might be made so to separate the traffic as not to cause any confusion.

504. Sir *Matthew White Ridley.*] When you say that the Crown has been paid 26,375 *l.* for the foreshore in the case of the northern embankment, is it your opinion that the Crown has been paid more in proportion than other individuals have derived from their foreshore property?—Yes, I distinctly allege that the 26,375 *l.* is a payment made to the Crown without any value received, and for property which was of no value practically, because until you had constructed a retaining wall, and excluded the tidal water, it could not be valuable for building purposes, and the cost of excluding the tidal water would have more than mastered the value of the property. Therefore, we have paid 26,375 *l.* for that which does not exist, it is merely imaginary.

505. *Chairman.*] Its value, as I understand, was in giving water frontage to premises behind, and that value you have fully paid to other parties?—Yes; first the freeholder, who claims a certain right over the foreshore, as attached to the freehold, and secondly the lessee, who has the water right. We have satisfied those claims, and, plus all those claims which have been made and satisfied by the Board, we have paid to the Crown the sum which I have mentioned.

506. And that was done because they could force upon you clauses in the Bill?—Yes.

507. Mr. *Tite.*] And that, you say, is because they could raise a claim which an individual could not raise?—Yes.

508. Mr. *Locke.*] That is by an arrangement with the City of London by which the Crown is held to be entitled to the soil and bed of the river?—Yes.

509. And, being entitled to the soil and bed of the river, they say that you shall erect nothing upon that soil and bed without paying them so much money?—That is so. I believe that the sum paid would be ultimately divided in accordance with the Thames Conservancy Act, between the Crown and the Thames Conservancy Board. I believe that the long disputed question as to the right to the soil and bed of the river has been somewhat compromised by the formation of that Board, and that the payment for works analogous to the works which we are carrying out, or where benefit is conferred on private individuals, is divided between the Crown and the Thames Conservancy.

510. Previously to the Thames Conservancy Act, when the Thames Conservancy was vested in the Corporation of London, were they not in the habit of charging persons a sum of money for the privilege of extending their wharves into the river?—Yes.

511. And the Crown now claim that right when a public improvement is to take place; they say that that public improvement shall not take place unless those entrusted with carrying it out pay a sum of money to the Crown. It is very much like levying black mail upon the metropolis, is it not?—I can give no answer to that question.

512. Mr. *Tite.*] With regard to Hamilton Place, Mr. Cowper I believe gave every facility to the Board for carrying that improvement into effect at a moderate expense?—He did.

513. He undertook to allow so much of the Park Garden as was necessary for the purpose to be taken, either at a small cost, or at no cost; and were you not opposed in that improvement by Mr. Gore, the Chief Commissioner of Woods and Forests?—It was so.

514. He called the Crown Surveyor, Mr. Pennethorne, to show the enormous sum at which it was valued?—Yes.

515. Therefore the two departments of the Crown

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Crown, were at issue upon that particular?—Yes, the First Commissioner behaved exceedingly well, he not only gave us every assistance, but he was prepared to advise that the Crown should give up to the public the ground for the area of the roadway without charge?—I have no complaint whatever to make against him.

516. To take another case, the Thames Embankment was promoted in 1862 by the Chief Commissioner of Works; he brought in the Bill on the part of the Government?—Yes.

517. Was not he there also opposed by owners and by the Crown, on the part of the Duke of Buccleugh, and the houses along Whitehall Place?—Yes.

518. There again the two departments were distinctly in issue?—Yes.

519. And the Government funds were employed on the one hand to promote a Bill, and on the other hand to defeat it?—I suppose that it was so.

520. Mr. *Bazley.*] Have you ever attempted to introduce into a Bill before Parliament a clause which would have enabled you to take Crown property on terms similar to those on which you obtain it from private individuals?—We have undoubtedly desired the introduction of clauses, or rather to allow the Crown property to find its level, under the Lands Clauses, in the ordinary way, but whenever we approach Parliament, we are watched by the representatives of the Crown, and certain clauses are sent to us, and unless we admit those clauses there is very little chance of passing the Bill through the House.

521. Mr. *Tite.*] Must you not have the consent of the Crown to the passing of a Bill which interferes with Crown property?—That is clear.

522. Mr. *Bazley.*] That is to say, the consent of the department?—Yes, it is always done through the departments.

523. *Chairman.*] Neither you nor the Committee to whom the Bill is referred, have any discretion in the matter, except to adandon the Bill?—That is so.

524. Have you stated to the Committee all the special works which you have undertaken, or which you desire to undertake immediately?—I believe the Bill is now before Parliament.

525. Mr. *Alderman Lawrence.*] You, I apprehend, have many more works in contemplation?—I think that we shall have very little difficulty in finding improvements of great importance to the extent of 10,000,000 *l.*, or 12,000,000; it will be a question of funds.

526. *Chairman.*] Will you state to the Committee what are the general annual charges which the Board has to disburse over and above these special works?—The charges of course have reference to sewers; the Main Drainage I have already referred to.

527. Apart from the special works, what are the general charges?—The general charges would be for sewage works; all the main lines of sewers are vested in the Board; I am speaking of sewers other than the main intercepting sewers, what is called the Main Drainage, and I stated on Monday the cost of covering over these main sewers, which are in a great measure open sewers, to be about 800,000 *l.*

528. What is the annual sum which you spend in the general sewage works?—I think that I have given in the sum levied from 1856 to 1866.

529. Can you give us any idea of the general expenditure of the Board apart from the special expenditure; how much it has been in the last year?—The general purposes of our Board, first take in the establishment charges; you are aware that the Board exercises a considerable amount of control over the vestries, and district Boards; no vestry or district Board can carry out any local drainage until they have submitted their plans to our Board, and those plans have to be examined to see that they are consistent with the existing state of things, and that we keep up a general whole, all falling into each other without any interruption. That is a matter requiring considerable care, and it occupies the attention of a large number of officers; you can imagine that if one vestry adopted one principle of drainage, and if the adjoining vestry adopted another, we should very soon have confusion, and the whole system would be out of gear, and hence the necessity for carefully watching all these proposals, in order that they may harmonise, and produce one result. We have also appellant jurisdiction in many other matters when any dispute arises between a parish and an individual as to drainage or matters connected with drainage, they have a right to appeal to us for the purpose of remedying any defect. The question of erections beyond the general line of frontage, which may interfere with the light and air, and the general appearance of our public throughfares, is also a matter under our control, and special buildings have to be sanctioned by the Board; plans are sent in, and those have to be examined and sanctioned from time to time; then there is the care of all the sewers, the repair of the existing sewers, and the reconstruction of other sewers.

530. What is the expense incident to the general sewerage, for example, in a year?—I have not separated it except the general drainage. I have the precept for the last year, and that will give the Committee every item separately; I will hand it in; this receipt was issued in January last.

531. Will you give us the chief items of expenditure for the year?—Sewerage and drainage works, 62,550 *l.*

532. Is that an item which is about the same amount, or is it a gradually increasing amount every year?—It will vary in proportion to the new works which may be carried out from time to time.

533. But it is of almost the same character?—Yes; this is rather a small amount than otherwise.

534. Will you take the next item?—Then there is the contribution for minor improvements, 15,000 *l.*; this 15,000 *l.* is voted in several sums to local authorities to assist them in carrying out smaller improvements; for example, in the City of London, for widening a street or rounding a corner, or setting back a building when a house is burnt down, or when there is any other circumstance which may give the City a *locus standi* to step in and say, "You must set this house back," compensating the parties; the Board has been in the habit of contributing from one-third to one-half of the cost of those improvements.

535. Are those expenses going on all over the metropolis on a small scale?—Yes.

536. What is the next item?—The establishment charges, other than such as are charged to special funds, 16,187 *l.*; then there are expenses under the Sale of Gas Act. The Committee are aware that it is the duty of the Board to appoint officers and offices for the purpose of testing the meters

meters which are used in the metropolis, and stamping those meters from time to time; a fee is payable on the stamping of these meters, but there is a charge of 830*l.* beyond that, which is received by way of fee; then there is a sum of 10,000*l.* which the Board are called upon to raise under the Metropolis Houseless Poor Act, with which we have nothing to do, but to pay the money on the certificate of the Poor Law Board; it is collected with our rates. Then there are instalments of loans, agreeably to arrangements made with the parties, of 9,835*l.* in the case of a loan of 140,000*l.* from the Clergy Mutual Fund; then there are loans from the Bank of England; these are charged upon the ordinary rates, being borrowed from the sewers rate.

537. Are those sums raised in aid of improvements which have been already carried out?—Yes, or which are in course of completion. Then there is 11,000*l.* and 16,000*l.* for interest, apart from the principal. Then there is 15,000*l.*, the first instalment of a loan of 616,000*l.* from the Bank of England for the purposes of covering over sewers, and other public works; there is also compensation allowance, 1,000*l.*; you have 158,823*l.* as the amount of the several items which I have named.

538. Can your furnish the Committee with a similar statement of the expenditure of your Board in each year, classified in this manner?—Yes; I will have it carefully made out, and I will return it with my evidence.

539. Is there, in addition to what you have stated, a sum levied for the Fire Brigade?—Yes.

540. What do you anticipate will be the yearly amount of that?—I think that the total cost of the Fire Brigade will be about 50,000*l.* a year; we shall receive 10,000*l.* from the Government, and the like sum, or probably rather more, from the insurance offices; so that the net cost to the metropolis of that brigade will be about 30,000*l.*

541. Will you give us the whole charge upon the metropolis through the medium of your Board?—Yes; for this year.

542. And that, in addition to the special expenditure which you have previously described, will be the entire expenditure which the Metropolitan Board makes on account of the improvement of the metropolis?—Yes.

543. In addition to the threepenny rate which you have mentioned, do you levy a rate also for general purposes to meet the expenditure which you have now described?—Yes.

544. What has been the amount of that rate in the pound?—One penny will produce about 60,000*l.*, and you have the expenditure in each year.

545. You do not reduce it to a rate in the pound, but you levy a sum in gross on the district?—Just so; of course we calculate the rate in the pound on the county rate, but it is levied by the parishes in raising the fund on the poor's rate.

546. Your levy on the districts is for a sum in gross, calculated on the basis of the county rate?—Yes, so much in the pound.

547. Except in the City?—Except in the City, and there we levy on the consolidated rate, which is a like basis; although we send to the parishes a precept asking for a gross sum, still that is the result of a calculation of so much in the pound on the county rate; so that we levy equally on all districts.

548. Then the parishes having received your precept, levy it upon the parishes in detail in the pound, according to the mode in which they levy the poor's rate?—Yes; taking, for example, the Main Drainage; that is a rate of 3*d.* in the pound, on the basis of the county rate. The county rate is higher than the poor's rate, and sometimes the parishes levying in detail to raise the sum which we have required in our precept, are obliged to levy a rate of 3½*d.* in the pound on the poor's rate.

549. Does that arise from the fact that the assessment for the poor's rate is lower than the valuation for the county rate?—Yes.

550. Mr. *T. G. Baring.*] Is the county rate assessment formed by an assessment of each property or person paying the county rate?—Yes, it is, no doubt, the result of individual assessment.

551. It being the result of individual assessment, it would follow that if a parish in raising your rate upon that county rate assessment, levied upon a different assessment, namely, the poor rate assessment, injustice might be done to individuals; for instance, the county rate may assess me at 300*l.* a year, whereas I may be assessed to the poor rate at 100*l.* a year; but another person may be assessed to the poor rate at 300*l.* a year, and assessed to the county rate at 100*l.* a year?—That would scarcely be so.

552. That is putting an extreme case, but still, inequalities of that kind may occur?—No doubt inequalities do occur, but I do not at all apprehend that they would occur in the mode which you have suggested.

553. If the taxation is upon the county rate basis, that county rate basis being arrived at with respect to a parish by the assessment of all the persons who have to pay within the parish, each person being assessed at the sum which he should pay on the rateable property for which he should pay when the taxation comes to be applied, if it is applied by the parish, not upon the county rate basis with respect to individuals, but upon the poor rate basis, the taxation really comes to be upon the poor rate basis, and not upon the county rate basis with respect to the individuals, though it may be upon the county rate basis with respect to the aggregate sum?—No case has come before me where the poor rate assessment has been higher than that of the county; the rule is, that for the county rate a less per-centage is deducted from the gross annual value by the magistrates than for the poor rate.

554. But is the gross annual value in all cases the same?—No, I think not.

555. Sir *William Gallwey.*] Are we bound to pay more than 3*d.* in the pound on the poor rates?—Yes; our Board have no power to levy more than a threepenny rate on the county rate.

556. If that is demanded, we are virtually obliged to pay more than 3*d.* on the poor's rate?—In the metropolis you have not a uniform system of rating; you have divisions; you have the authorities of one parish adopting one principle, and the authorities of another parish adopting a separate and distinct principle. In some cases they argue thus: that so far as their internal taxation is concerned, it matters but little whether they are rated at one-half the rack rental, or at five-eighths, because any taxation will fall equally on all parties; but that it does affect them on all rates which spread over a larger area than their parish, that is to say, a metropolitan rate. As regards parishes who have kept down their poor's rate internally, without disadvantage, when we apply to that

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parish for a metropolitan rate on the basis of the poor's rate, it is not contributing a fair share to metropolitan taxation; and hence the necessity for a uniform system of taxation in this metropolis, because it must always be, that in this metropolis there will be a municipal taxation, therefore it is absolutely essential, and it is justice to all parties, that we should have a uniform basis, and that it should not be put within the discretion of a parish to say, "We will keep down our poor's rate so as to reduce our contribution to the metropolitan rate." Perhaps I am doing an injustice to parishes in supposing that that is their view, but the inequality in some cases is so great that one is led to believe that they must have regard to that special consideration in determining the principle of rating for the poor. But in respect of the county rate, it rides over all questions of that kind. The magistrates have the power to call for any evidence, and to make any deduction from the gross annual value which, in their judgment, may be fair and reasonable.

557. Mr. *Locke.*] Upon what principle is the county rate ordinarily levied as distinguished from the poor rate?—I think that it is levied upon the gross annual value, less a per-centage, I suppose, in consideration of repairs and matters of that kind.

558. Then the principle is the same as in the Act of 6 & 7 Will. 4, with regard to the poor rate. You first take the gross annual value and then allow a deduction, so as to get the net annual value?—But that is not the practice.

559. I am quite aware that they only take a certain proportion, and as far as the parish itself is concerned, it is immaterial, because all parties are rated equally, but what I want to know is this: with regard to the county rate itself, is the valuation made in a different way from that in which it is made with regard to the poor's rate?—Whether it be by the overseers or by the magistrates, regard must be had to the annual value, but then there are considerations in the mind of an overseer which are not operating in the mind of a magistrate.

560. There being two distinct bodies making those rates, although they may have the same rules to guide them, still they may carry out those rules in a different way?—No doubt that is so in practice.

561. Is the county rate generally higher than the poor rate?—It is.

562. *Chairman.*] Do you understand that the parish, in making its assessment for the poor rate, makes a certain deduction, according as it thinks fit, from the gross estimated rental?—Yes.

563. Do the justices, in making the county rate, inquire what that deduction had been, and if they think that it is more than exists in other parishes which are subject to the county rate, do they endeavour to equalise the rate by adding something to the valuation of the parish?—I believe that is the rule adopted.

564. Is not there also a source of error as between the poor rate and the county rate, in the metropolis, that there is the constant pulling down of poor houses and the building of more valuable houses?—No doubt, if a reassessment took place more frequently, that mischief would be lessened.

565. Is it your opinion, that in consequence of the justices not annually reassessing the county rate in the metropolis, there is a large amount of new building and increasing value from building, which escapes being assessed?—It does, for a time.

566. Do you attribute the small increase in the valuation of the metropolis from the recent building to that cause as well as to others?—In Middlesex, I think that there has been a reassessment about every five years, or four years, as the case may be. We have made a communication to the magistrates of Middlesex, and also of Surrey, and I believe that the result will be a more frequent reassessment of the districts; and as it forms the basis of our taxation, that is very important. For example, in the last assessment for Middlesex, we added to our rateable value on which we levy our taxation, something like 1,900,000 *l.*

567. Then that valuation of something like 1,900,000 *l.* had escaped its contribution for a considerable period, much to the prejudice of the rest of the ratepayers?—Yes; as regards special contribution, the parishes, I apprehend, would catch that property.

568. But as between those parishes and other parishes, injustice has been done to the extent of 1,900,000 *l.* in taxation?—Yes.

569. Do you think that that would render it necessary that some special arrangements should be made for keeping up an account of the value of the property of the metropolis for the purposes of assessment?—I think that some arrangements should be made for the reassessment of the metropolis on some uniform basis. One sometimes does not understand facts which came out in reference to compensation cases; they are constantly brought before us in dealing with the claims of parties, and when we refer to the rating of the claimants we find it to be 150 *l.* a year, and to our astonishment the value is declared at 500 *l.* or 600 *l.* a year, and then we find that the rating has been in no way proportionate to the value of the premises.

570. Can you state the number of houses which are built every year in the metropolis, in addition to the existing houses?—I am not able to state that; I have a return which shows a taxation for all purposes other than Imperial, of so much in the pound, the basis of the county rate being so much in the pound, and the basis of the poor's rate being so much in the pound; that of itself, will show the difference in the assessment. This is up to 1864, and I am now having it corrected; not having the figures under my own control, I have to send to the Poor Law Board, and have to send to each parish.

571. Mr. *Tite.*] After all, the inequalities of the police rate, and of the poor's rate, though partly explained by your answers, are altogether inexplicable to yourself?—At times.

572. *Chairman.*] Is your Board charged with the duty of superintending the erection of all new buildings within the metropolis?—The district surveyors are appointed by us.

573. And they are responsible to you?—Yes.

574. Do they make any returns to you of the works which they survey?—Yes.

575. Therefore, you have a register of all new buildings erected in the metropolis?—Yes.

576. Therefore your Board possesses the means of an annual revision of the assessment of the metropolis so far as regards the pulling down of houses, and the erection of new ones in their place, or the erection of additional houses?—We undoubtedly have the means of knowing what is going on in every department.

577. Possessing the facts, you have the means of

of correcting the valuation from year to year?—Yes, as regards all the new houses.

578. That applies to all the houses which are added to the present metropolis, in addition to those substituted for what are now pulled down?—Yes. In all cases where the district surveyor has been called in to make his survey, watching the progress of the building under the Act, he would report the fact to us.

579. Have you any means at your disposal of ascertaining the gradual improvement in value arising from the enhancement of rents?—No, I think not.

580. Is there any authority in the metropolis which has those means, except the parochial officers?—I think not.

581. You are aware of the Act which has been passed for the setting up of assessment committees?—Yes.

582. Is the operation of that Act in the metropolis limited, in consequence of many of the parishes being unions of themselves?—I am unable to state what the operation of that Act has been; it is out of our jurisdiction.

583. Do you know that it is the purpose of that Act to settle the assessment in unions equally?—I am unable to say.

584. Have you had your attention directed to the state of the assessment in any particular parishes; take, for example, St. George's, Hanover-square?—I am scarcely a proper witness on that point; I am unable to speak with certainty.

585. You would rather not enter into a statement of the real value of any parish, compared with its rateable value?—I think that those facts can be ascertained from other persons; and that any of the parochial officers would give the information. I am not in a position to answer those questions.

586. You are not able to say whether the gross rental which is taken in St. George's, Hanover-square, is, or not, 30 per cent. below the real rental, or a very great amount below the real rental?—I am unable to say. I simply make this observation, that from facts which come out from time to time, it is evident that there is a great inequality of rating; but I am unable to give specific information.

587. But you believe, as a general proposition, that in certain parishes in the metropolis, what is called the gross rental, which is the first basis of rating, is not the amount of the real rental?—I do think so.

588. And therefore the rateable value which is deduced from that is still further from what ought to be the real rateable value?—That would be the common result.

589. Then the effect would be that in these parishes they would appear to be paying much higher rates than they really are paying as compared with their true rental?—Yes, as to the rate in the pound, it would appear so.

590. You have stated that you think that the direct taxation of the metropolis has reached an extent beyond which your Board does not think it reasonable to go?—Yes.

591. Is there not a great difference in the extent of the direct taxation in different parishes in the metropolis, either at their rated value, or at their real value?—No doubt.

592. Looking at that table, can you give two or three instances of the amount of local taxation borne by different parishes?—I will first take the parish in which the taxation is the lowest.

593. You are speaking now from a table of rating made in 1862?—Yes.

594. Looking at that table, will you tell us which are the parishes where there is the lowest amount of rating?—Taking the parochial as distinguished from the Parliamentary taxation, in St. George's, Hanover-square, it would be 2 *s.* 8 *d.* in the pound.

595. Does that include every kind of local taxation?—Yes.

596. Mr. *Locke.*] It would include paving and lighting?—Yes, and poor rate, and church rate.

597. *Chairman.*] Are we to understand that it includes everything which is not Imperial?—Yes, I understand it to be inclusive.

598. Does it include the police rate?—Yes; the poor's rate necessarily includes the police rate, because it is connected with it. In Paddington it is 3 *s.* 2 *d.*; in St. James's Westminster it is 2 *s.* 11 *d.*

599. Sir *Matthew White Ridley.*] Will you give St. Martin's-in-the-Fields?—It is 3 *s.* 5 *d.*

600. Mr. *Tite.*] Will you give St. Luke's, Chelsea?—It is 4 *s.*

601. Sir *William Gallwey.*] What is St. Margaret's, Westminster?—There are two parishes there, St. Margaret's and St. John's. In one case it is 5 *s.* 11 *d.*, and in the other 4 *s.* 3 *d.*

602. *Chairman.*] What appears to be the highest rated parish?—In St. George's-the-Martyr, Southwark, it is 7 *s.* 2 *d.* In St. George's-in-the East it is 7 *s.* 3 *d.* Then there are a group of Saints, St. Olave, St. Thomas, and St. John, Southwark, 6 *s.* 7 *d.*

603. Have you any more about that figure?—Bermondsey, 6 *s.* 7 *d.*

604. Mr. Alderman *Lawrence.*] What is St. Matthew's, Bethnal Green?—5 *s.* 8 *d.*

605. *Chairman.*] Do you see any others in that list about 5 *s.* 8 *d.*, except those which you have mentioned?—Yes; there are several at 5 *s.* 8 *d.* and 5 *s.* 2 *d.*; St. Mary Newington, Surrey, 6 *s.* 1 *d.*; Woolwich, 6 *s.* 1 *d.*; Rotherhithe, 5 *s.* 9 *d.*; Fulham, 5 *s.* 8 *d.*

606. Sir *William Gallwey.*] Can you give us the average of all those rates added up together?—It is 4 *s.* 7 *d.*

607. What is the highest?—St. Nicholas, Deptford, I think, would be something like 9 *s.* 2 *d.*

608. *Chairman.*] Are you aware whether the rates which you have given are computed rates, or whether they are the real rates actually collected in the parishes?—These are the charges; we have done our best to collect the charge under each head, and that is the result.

609. Do you know whether that is the actual rate collected, or whether it is a rate computed from the rateable value; do you know how that table is made out?—It is made out from the rates collected in a particular year.

610. You are aware that in parishes where there are a number of workpeople there is always a great loss in the collection of the rates, and that the rate actually collected from those who pay is in excess of the computed rate?—No doubt; because if there is 5000 *l.* excused, that 5000 *l.* must be spread over those who do pay.

611. Therefore if you had given the computed rate, the rate actually collected in the poorer parishes would be on those who pay somewhat in excess of the computed rate?—Yes.

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612. Do we understand rightly that the average which you have stated is the amount of the whole sum which is collected, as compared with the whole rateable value of the metropolis?—I understand that the principle upon which this table was compiled was to ascertain from the parishes the amount levied. We could ascertain of course the amount which we were levying, and how much was levied by the local authorities, and we have added the several sums together, and the result is what I have given.

613. Having regard to what you have told us, will you explain how you have arrived at the conclusion, as respects St. George's, Hanover Square, that the local taxation has reached its utmost practical limit?—I have not arrived at that conclusion.

614. Will you be good enough to explain the evidence which you have given with reference to the taxation of the parishes which appear by that table to be below, and some of them much below, the average of taxation?—I made two statements: first, that the direct taxation in the metropolis had reached its limit; and secondly, that the metropolis was rich enough to pay for its own improvements; and that the distinction was to be found in the fact, that taxation had reached its limits, because a greater amount would become oppressive upon that class of ratepayers who were rated in the proportion which I have just stated. I said that there was sufficient property in the metropolis, if the correct principle of taxation were adopted, so that in levying the money you should have regard to the capacity of the parties to pay. I then endeavoured to show that while both propositions were true they were true with regard to the increased taxation, because, as respects many of the small struggling tradesmen, who are now taxed at from 5*s.* 9*d.* to 7*s.* or 8*s.* in the pound, any addition to that burthen would become oppressive, and practically impossible for the Board to collect. But if I am asked whether this metropolis, having regard to its wealth, is not equal to the payment for the several improvements, I am bound equally to affirm that it is; but you must adopt a principle of taxation equalizing the burthen, very much upon the same principle as you do with reference to Imperial taxation. There you have regard to the capacity of the citizen to pay. I stated, in further illustration, that we had always adopted the principle of the poor's rate as the best gauge of a man's means. There is no charm in the poor's rate *per se*, but from time immemorial we have continued to adopt it as the basis of taxation; I, however, questioned the justice of that basis, because it did not reach the means of the parties, but in this case became oppressive upon a particular class. I pointed out one or two instances where the taxation of a mere clerk was equal to that of a merchant with all the advantages of the metropolis, namely, sanitary improvements and other permanent arrangements, widened streets and so on; and I said that the merchant was paying to municipal funds a sum not greater than you were calling upon the clerk with a very small salary to pay.

615. Is it your opinion that in the parishes which appear to be so highly taxed, those persons whom you have described as small struggling tradesmen, and others who might be described as the working classes, chiefly reside?—Yes.

616. And is it your opinion that in those parishes which are comparatively lightly taxed, the persons who are reputed to possess very great accumulated wealth and resources chiefly reside?—Yes, no doubt, proportionately, and that would give the contrast.

617. Therefore, we find at present that these persons who, in comparison, would be least equal to bear taxation, are nevertheless patiently paying a local taxation varying from 6*s.* to 8*s.* in the pound?—Yes.

618. That being so, would you come to the conclusion that the rich and influential classes could bear a taxation varying from 6*s.* to 8*s.* in the pound?—Yes, with more propriety.

619. Therefore, so far as the power of levying money by direct taxation in the metropolis may be exercised, it would seem that the limit of taxation as regards those who are best able to bear it is very far from being reached?—Clearly.

620. Is it your opinion that, in justice to these more struggling people, and the working people of the metropolis, it would be reasonable that the wealthy and influential parties should at least bear an equal amount of taxation?—Clearly.

621. Therefore we may take it as your opinion that if Parliament would sanction a taxation of those who are best able to bear it in the metropolis, equal to the amount of taxation which is put upon those who are least able to bear it, sufficient funds could be raised for the purpose of carrying out the improvements which, in the judgment of your Board, are required?—I think so; of course I am giving up the point which I have up to this time maintained, namely, that the metropolis has been more neglected than any capital in Europe. I wish it to be distinctly understood, in giving my answers, that I think the metropolis capable of bearing the taxation if properly proportioned; still I do hold the principle to be sound, that in all European capitals contributions are made from time to time from the Imperial taxation to the improvement of the capital; waiving that point for the moment, I should answer the question in the manner in which I have answered it.

622. Mr. *Locke.*] How do you understand the Chairman's question; if you equalised the rates throughout the metropolis you would only obtain precisely the same sum?—That is so.

623. How do you propose to do it; if you merely equalise the rate, and say that St. George's, Hanover-square, shall pay in the same proportion as St. George the Martyr, Southwark, you will reduce St. George the Martyr, Southwark, and you will raise St. George's, Hanover-square, to a certain amount, but not to the same amount as St. George the Martyr, Southwark, if you are only to raise the same sum?—No doubt; and that is why I object to the poor's rate as a basis, because of its inequality in working.

624. Then, if you altered the mode of levying the rates, you must have some new plan?—Clearly.

625. What is that new plan?—I am not prepared to say at this moment. I rather indicate an objection to the existing state of things as not realizing that which in theory we profess to realize in adopting the poor's rate as a basis. There has been a great disinclination on the part of statesmen to deal with the metropolis. It has been dealt with as if its citizens were unequal to municipal duties. We have not the power which is possessed by many of our provincial corporations, of taxing ourselves in the most convenient form. We are tied up to a sewers rate, which, in point of law, is a landlord's tax, but which is made

made an occupier's tax by the covenants between landlord and tenant, and beyond that power we have no authority to levy dues either upon our hackney carriages, or in other shape, in relief of the direct taxation for municipal purposes. It is not so, for instance, in France. Take Paris, for example. There there are certain taxes levied for Imperial purposes. You have land-tax levied in Paris, 423,427 *l.* 19 *s.* 2 *d.* You have a tax on personals, that is to say, on moveable property, valued, and the result is 237,834 *l.* 1 *s.* 8 *d.* You have a tax on doors and windows, giving a revenue of 176,740 *l.* 19 *s.* 2 *d.* Then you have what is called a patent duty, what we should probably call in this country a license. All professional men are obliged to pay a license, and that gives a very large revenue, amounting to 608,000 *l.*

626. You have forgotten one material tax in Paris, namely, the *Octroi*?—I am speaking now on another subject, and not of the *Octroi*. I am speaking of the taxation raised by the Imperial hand, out of which a per-centage is paid to the municipal authority for municipal purposes. This money is collected by the Imperial collector, and is handed over to the Municipality of Paris, and it is handed over in the following proportions; that is to say, on the land-tax five per cent., giving to the municipality 21,132 *l.* On the tax upon personal property there is five per cent., giving 11,640 *l.*; on licenses, as I have described them, there is eight per cent., giving 46,508 *l.* to the municipality; the Educational Rate will give for the like object, 42,420 *l.* Then on carriages and horse duty, there is something like 1,600 *l.*; so that in all you have 123,360 *l.* collected by the Imperial collector, and handed over for municipal purposes from time to time to the municipal body. Now if that regard be had to a population of something like 1,600,000 persons, I do not understand why, with a population in this capital equal to that of the whole of Scotland, namely, 3,000,000 of people, the good government of whom must add so much to their comfort and health, it should not be treated as a question worthy of the attention of our statesmen, and why we should not have some attention paid to the basis of taxation; or, at all events, why we should not have the power to levy the necessary taxation for the metropolis in the way most agreeable and convenient to ourselves, waving always the question whether the metropolis of the country has not a claim upon the Imperial Funds. If we are to pay the whole cost of our improvements, surely we should have the same freedom as municipalities in the country; and I have cited the case of Paris to show what we might collect, supposing that there was the same disposition in our statesmen to afford the necessary assistance as is felt and experienced in Paris in aiding that municipality. I, however, admit at once that we shall never be able in this country to levy in the same form on articles of consumption; it would be repugnant to the principle of taxation adopted in this country. But then you have the house-tax, and a variety of other modes of levying.

627. What are the municipal taxes in Paris?—The municipality collects in all, which of course includes all the expenditure, about 6,233,601 *l.* 12 *s.* 5 *d.*, that is for 1865; I have it in these papers, which have been carefully worked out from the last Budget. I have reduced the francs into pounds sterling.

628. For what purposes is that amount collected?—That is collected for all the purposes police, cleansing, and every other expenditure comprehended by the powers of the municipality of Paris; this is other than Imperial taxation. I have also the several sums collected from the several sources—markets, tolls, and so on.

629. Does the same law apply to other towns in France as to Paris?—I am unable to say as to whether it applies to other towns in France.

630. You are aware that in almost every other town in France, although not to so great a degree as in the capital, still to a very great extent, the same thing is done?—No doubt.

631. They all have the *Octroi*?—Yes.

632. And are you aware that in addition to the *Octroi*, that *Octroi* is supplemented by the Government paying over to them a certain per centage of the taxes which are derived from those particular towns; is it so in the country as well as in Paris?—I do not know as to other towns.

633. You object to these local taxes being levied upon the principle of the poor rate?—Yes.

634. Do you think that if there were an equalization of the poor rate throughout the metropolis, that is to say, if the metropolis were made one union, in the same way as members of parishes are now joined in one union, and if there were a metropolitan rate levied upon the union instead of different rates being levied upon the separate parishes, it would diminish the difficulty which you have in making further rates upon the different localities in the metropolis?—It would not touch my objection; it would mend the present state of things so far as the inequality is concerned, but my objection is very much deeper than that.

635. Taking that one item, namely, the poor rate, if it were equalised, have you formed an opinion as to what each parish would have to pay, taking the gross amount and dividing it, what would it come to, taking first the purposes for the poor alone. Supposing that the poor rate were equalised, and that you had an assessment for the whole metropolis. and that the amount which is now levied for the poor rate were to be borne equally according to the means of the parties throughout the whole metropolis, how much would it be in the pound?—I am unable to say.

636. Do you know that it has been estimated that it would be about 1 *s.* 6 *d.*; taking, for instance, the highly rated parish of Deptford, which is 9 *s.* 2 *d.*, and supposing that it were 1 *s.* 6 *d.*, there would be the difference between 1 *s.* 6 *d.* and 9 *s.* 2 *d.*, and that parish would be relieved to a very great extent with regard to the poor?—It would not be so, because the 9 *s.* 2 *d.* is not all for the poor.

637. Do you know what portion of the 9 *s.* 2 *d.* is for the poor?—I do not know.

638. There may be other expenses in parishes besides the poor rate; one may require more than another for paving and lighting; do you not think that if the poor rate were equalised, you at all events would not have so great a difficulty as you have now with respect to the other rates, namely, sewers rate, and so forth?—I do not see how it would affect the question.

639. If they had less to pay for the poor rate, would they not be enabled to pay more for something else?—No doubt it would affect the ability of the party to pay if you are to relieve the districts which are now over charged, that is to say, that

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if the equalization of the poor rate would relieve parish A of 2*s.* in the pound, which it is now paying for the relief of the poor, it would set free 2*s.* either to be absorbed in the income of the party, or to be applied for another purpose, and it would give a proportionate ability to the party to pay any taxation for other purposes.

640. But it would not alter the sum which is now to be raised for poor rate and likewise for other purposes?—No.

641. And therefore beyond that you would require some other taxation?—Yes.

642. But if you had a proper system of assessment, and levied the rate fairly throughout the metropolis, do you think that it would be an advantage that you would be able more easily to lay on a fresh rate?—Yes; in proportion to the equalisation we should undoubtedly be so far relieved.

643. That is to say, that the poorer parishes would be relieved to a certain extent, and they would be capable of bearing further burdens much better than they are under the present system?—Yes, undoubtedly, in proportion to the relief.

644. I believe that you referred the other day to a property tax?—A property rate.

645. On the same principle as the property tax?—Yes, to be collected on the same principle.

646. That is to say, that it must be collected from the occupier in the same way as the property tax is now collected?—Yes.

647. Have you formed any estimate of what the amount of that tax would be?—A charge of 1 *d.* in the pound would produce 60,000 *l.*, and it would catch all rated property; whatever the interest was, the party would pay according to his interest. We should tax upon the net annual value, giving each party authority to tax the one above him, until it reached the ground landlord, and making him pay in proportion to the ground rent which he received.

648. Would that double the present rate which you receive?—That would depend upon the levy. The object is not to double, but to equalise, and that all persons should contribute equally.

649. Supposing that you adopted that plan, what amount would you receive?—If we adopted the plan of levying 2 *d.* in the pound on occupiers, and 2 *d.* in the pound on the property, that 4 *d.* would give us 240,000 *l.* a-year.

650. Do you mean to put 2 *d.* extra upon the occupier beyond what he pays now?—If it were proportionately levied it would not matter whether it was 3 *d.* or 5 *d.* or 6 *d.*

651. What amount do you think you could obtain under that system?—Supposing that the Board were permitted to levy a rate not exceeding 4 *d.* in the pound on property in the manner which I have suggested, and supposing that co-extensive with that power the Board were in a position to levy on occupiers an equal sum, so that one moiety should be paid by one class, and another moiety by another, then of course it would give just the multiplication of 60,000 *l.*; 4 *d.* would give 240,000 *l.* a-year.

652. Do you think that that would be sufficient?—In some years it might, and in others not; it would depend upon the nature of the improvements to be carried out from time to time.

653. In addition to that, what do you propose?—The continuation of the coal dues; the coal dues are already charged with the Thames Embankment work; and we think it but fair that it should be sufficiently extended to complete that work, at all events.

654. You have spoken of the contribution by the French Government to the municipality of Paris; of course you could not have a contribution equal to that, inasmuch as we have not the same taxes?—Not in form, but I am anxious to illustrate a principle.

655. What taxes are there which are received specially from the metropolis, out of which a contribution, or, in fact, the whole, ought to be given to the metropolis?—There are taxes somewhat analogous to those taxes; the window tax is abolished, but you have the house tax; that would be reached in another form; but in order to take strong ground, I will take a proportion of the property tax, for example.

656. What do you say to the hackney carriage duty?—The hackney carriage duty stands in rather a special position so far as the metropolis is concerned, because you have one law in operation in the metropolis and another in the country generally; in the country the tax is levied upon horses, subject to a certain schedule, but in the case of the license in London, they tax the carriage, and hence there is an increased taxation on the metropolis by reason of that different legislation; for instance, during the last year the return under that head for licenses to men was 6,647 *l.*; for duties on carriages it was 98,489 *l.*

657. What carriages did that include?—Hackney carriages, other than omnibuses; the omnibuses come under the ordinary law. That made a total of 105,136 *l.* Then there were certain expenses which came to 13,400 *l.*; that would leave a sum of 91,736 *l.* That money is received by the Government. Then the question arises, supposing that the same law were in operation in the metropolis as in the country, and that horses were taxed instead of the carriage, how would those figures stand? We have ascertained the number of licenses granted to the metropolitan hackney carriage proprietors; I will assume that two horses are equal to the work of one cab, and I remember some three or four years ago making a great many inquiries of cab proprietors as to the number of horses which would be equal to the work of one cab, and I found that they generally agreed upon assigning two horses to one cab. Applying that rule of taxing horses subject to the scale in the general Act, the sum collected would be 46,902 *l.* Deducting this from the net sum now collected, namely, 91,736 *l.*, it would leave a balance of 44,834 *l.* Now, by the operation of these two enactments the metropolis is specially taxed plus its ordinary share of taxation to the amount of 44,834 *l.* every year; that is to say, that the Government net that sum out of the metropolis arising from this special mode of taxation. We have always alleged that it is improper to have any of these special arrangements, and that if it be a proper thing to tax a horse, that tax should reach the horse, whether it is in the metropolis, or in any other part of the country, and that if it be more proper to tax the carriage, then that principle should travel over the country; and especially we have a right to complain that for the want of that uniformity we are taxed in addition the sum of 44,834 *l.*; I have applied to the Chancellor of the Exchequer from time to time, and I applied to him some short time ago, setting out these facts, but we find that where the Chancellor

cellor of the Exchequer is fairly possessed of a fund, it is very difficult for him to give up that fund.

The Witness delivered in the following Correspondence.

CORRESPONDENCE between the Chairman of the Board and the Chancellor of the Exchequer, on the Subject of Metropolitan Hackney Carriage Duties.

Spring Gardens, S.W.
Sir, 8 March 1865.

IN accordance with the wishes of my colleagues, I have to lay before you the grounds upon which they base their claim to a portion of the Metropolitan Hackney Carriage Duties for the purposes of Metropolitan Improvement.

It is not necessary that I should recount either the history or present mode of assessing the duty, but I may remind you that, when imposed by the 13 & 14 Charles 2, c. 2, the object was to raise a fund for paving, amending, and enlarging the streets within the Bills of Mortality. I may also remind you, that where, from the different mode of levying the duty, the municipal authorities are enabled themselves to collect a tax on carriages, it is applied to purposes of municipal improvement, and that, notably at Dublin, a very analogous arrangement is carried out to that which we seek to obtain. My colleagues are the more anxious to press this subject on your consideration, not merely on account of the urgent applications for enlarging and increasing the main thoroughfares of the metropolis, but also because they observe that protests are repeatedly made in the House of Commons against any outlay from the National Exchequer, for the improvement of the capital of the Empire, which is, again and again, likened to any provincial town,—protests, unaccompanied by the explanation,—that neither the Government Offices, the Palaces of the Sovereign, nor any of the great public buildings for Imperial purposes, contribute to the expenses of this Board; and, further, that a sum, which we estimate at 44,834 *l.*, is levied exceptionally on the Metroplis, from which the rest of the country is free.

Our estimate is thus framed; we find that the amount collected in the metropolis is—

	£.
For Licenses - - -	6,647
For Duties on Carriages -	98,487
Making together - - £.	105,136
From this must be deducted, being the expenses of the Police, for Inspection, &c. -	13,400
There remains - - £.	91,736

We have ascertained the number of licenses granted to the metropolitan hackney carriage proprietors, and assuming two horses per license, we find that if the duty were charged in the metropolis, as in all other places, viz., by the Post horse duty, that the sum collected would be £46,902.

Deducting this from the net sum at present collected, viz. - - - - - £. 91,736
46,902

we have a remainder of - - - 44,834
being the amount of the exceptional taxation on

0.34.

the metropolis, and as we hold, fairly attributable to the purposes of metropolitan improvement; a view in which we are confirmed by the Committee on Metropolitan Taxation, which sat in 1861, and reported that "your Committee are of opinion that, in justice to the inhabitants, whatever amount may, in fact, be paid in excess of the duty, as it would be levied in other parts of the kingdom, ought to be remitted, or applied in aid of the rates levied for local purposes."

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I believe there is no country in the world, except our own, which does not contribute to the adornment and improvement of its metropolis; and in general, the beauty and convenience of the capital is a subject of pride to those who dwell apart from it, as well as to its inhabitants. I am sure our own is the sole case in which the capital receives no contributions from the State,—is itself exceptionally taxed for Imperial purposes,—and in which the Imperial buildings are exempted from local taxation.

The pressure of war, and the necessities of an impoverished exchequer, might justify the diversion of the hackney carriage duties from their original purpose of local improvement, in the 5th of William & Mary, but no such necessity can at present be pleaded; and my colleagues are unable to discover any arguments for the perpetuation of so clear an anomaly, at a time when the national resources are so flourishing as to admit of the successive abolition of imposts whose unfairness and inequality is much less striking.

(signed) *J. Thwaites*, Chairman,
Metropolitan Board of Works.

(Copy.)

Treasury Chambers,
Sir, 5 May 1865.

I AM directed by the Lords Commissioners of Her Majesty's Treasury, to acquaint you that the Chancellor of the Exchequer has laid before the Board your letter, dated 8th March last, and have to acquaint you, in reply, that their Lordships regret that they are not able to hold out any expectation of their finding it consistent with their duty to surrender, for the use of the Metropolitan Board of Works, with a view to the improvement of London, that portion of the duty leviable upon hackney carriages, which is computed to be in excess of the duty payable elsewhere, and which may be regarded as a special contribution by the metropolis to the public revenue.

My Lords think it open to some doubt whether Parliament may not, at a future period, think it expedient to remit altogether the duty on hackney carriages; and they are unwilling, by acceding to a new local appropriation of it, to place any bar in the way of, at least, the free consideration of that question by Parliament.

But you observe, that neither the Palaces, the Government Offices, nor the great public buildings, contribute to the expenses of the Metropolitan Board of Works, and that that is the sole case in which a metropolis, beside being exceptionally taxed for the advantage of the Exchequer, receives from that source no contribution towards the expenditure.

In reference to these remarks my Lords have to observe as follows:—

First.—That the existence of the palaces,

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Government Offices, and great public buildings in London, is itself to be looked upon as being of itself a large contribution towards the embellishment of the metropolis, rather than as the importation of so much property liable to further contribution for that object.

Secondly—That until the very recent periods when the Metropolitan Board was established, and when the system of police was carried throughout the country, large sums were voted by Parliament for the Metropolitan Police, for parks and for other purposes in relief of the inhabitants of the metropolis, and at the charge of the public at large.

Thirdly—That since the Metropolitan Board was established, the use of the public credit, by way of guarantee, never granted to provincial towns, or to the rural districts, has been employed, with the effect of saving the metropolis from a very large annual taxation, a taxation probably much exceeding the sum which forms the subject of your letter.

Fourthly—That the public parks, a property of enormous value belonging during Her Majesty's life to the nation, and in reversion to Her Majesty's successors, instead of being made, like private property, to yield a revenue, are applied exclusively for the pleasure and advantage of the people of London.

Fifthly—That, independently of the use of the grounds, the sum voted in 1864-5 for parks and pleasure grounds, within the area of the Metropolis was 67,144 *l.*, and for other parks, &c. in its neighbourhood, 34,817 *l.*, together more than twice as much as the amount exceptionally levied upon the hackney carriages of London.

In many other forms, which it is needless to enumerate, public expenditure is concentrated upon London, as the capital of the country; and the special contribution, thus just in principle, which it makes to the revenue, is more open, in the judgment of my Lords, to remark, on account of its insignificance, than from any other point of view.

It is not for my Lords to point out any source from which, if enlargement be really necessary, the funds available for the improvement of London might be enlarged; but they must decline to afford any expectation that the enlargement can be afforded by the withdrawal of any revenue at present belonging to the Exchequer.

I am, &c.
(signed) *F. Peel.*

658. Then, what you contend for is, that no place in England should be subject to special taxation for Imperial purposes?—Clearly.

659. And that by the mode in which this tax is levied on hackney carriages, the metropolis is specially taxed for Imperial purposes beyond other places?—That is so.

660. Is there any other special tax which you can mention, which you think falls more hardly upon the metropolis than it does upon any other place?—No other occurs to me at this moment.

661. Mr. *Mill.*] I presume that the occupiers of rated property in the metropolis mostly hold that property on the usual leases of 7, 14, or 21 years?—As a rule, no doubt, some such agreement exists.

662. And, I fancy, that in most cases they hold under the covenants that all taxation, even new taxation, and even what are considered as landlord's taxes, shall be borne by the occupier?—Yes.

663. So that during the currency of those leases any new local rate falls upon the occupier?—Yes.

664. How would it be after the expiration of those leases; in your opinion, would the burthen then be thrown upon the owners of the houses? Yes; unless the obligation were renewed by fresh covenants with the fresh tenants.

665. As regards the burthens which now fall upon the occupier during the currency of his lease, do you not think that at the expiration of the lease, in the grant of a new lease these burthens would be taken into consideration in fixing the rent, so that the subsequent rent of that property would be reduced to the extent of the increased burthens?—It is so in theory, but it is not so in practice.

666. How do you account for that?—I account for it in this way; I occupied a house; I took the house and premises at a yearly rental of 280 *l.* I agreed to pay all rates and taxes, and it was no question of inquiry with me as to the sewers rate, and my covenant included the payment of land-tax. To my astonishment, after I had been in occupation some time, I had a demand for land-tax, to the extent of 2 *s.* 10 *d.* in the pound. The rent of the premises in question, was a fair proportionate rent to that obtained by other landlords adjoining without these special covenants; and I have frequently found that twin houses in the same street, subject to the same advantages, are let, and that in one case the tenant agrees to pay the sewers rate, without going into any particulars of the amount of the sewers rate; and that the other house is let for the same rental, the parties deducting the sewers rate from the landlord. Therefore, while it appears in theory to be reasonable that the landlord would reduce the rent in proportion to the obligation which he casts upon the tenant, it is not so in practice, the tenant undertakes to bear those burthens, and in point of fact pays those rates out of that which is a part of his own profit, and he does not get a proportionate reduction, in consequence of the obligations under which he places himself by these covenants.

667. But do you not think, that although particular tenants neglect the needful care of their own interests in that respect, yet upon the whole, when a person takes a lease of certain premises, he considers what he can afford to pay, or what it is to his advantage to pay, and that if he is of opinion that he is more heavily burthened than he would be in another part of the town, he will require to pay less rent than he might be content to pay if he lived elsewhere?—The question is not what he can reasonably afford to pay, but what property of the same capacity, and the same value will fetch; he may be paying out of what should be his accumulating income.

668. If he is considering what house or premises he shall rent, and is not taking into account the inconvenience of leaving the premises which he already occupies, but is taking premises for the first time, will he not calculate the whole of the annual cost devolving upon him from taking those premises; and will he not, if the rates are heavier, require that the rent shall be in the same proportion lower?—It is not so much a question of individual calculation, as to whether the house will serve the person's purpose; that consideration may involve several elements; first, it may be convenient for his trade and his connection, and a variety of matters may induce him to

to give more than the market value of the house; but in order to determine the question, we must consider the fair value of the house for the purpose of ascertaining the natural rent of the house.

669. Some persons in some businesses may be obliged to live in a particular neighbourhood, and therefore may not have it in their power to relieve themselves from heavy rates by taking any other house; is that your meaning?—That frequently occurs, and as the result you have an unnatural rent imposed upon the party, because he is unable, without injury to his business or profession, to remove from that particular locality, and hence occasionally landlords take advantage of tenants under those circumstances, and charge an unnatural rent; that is to say, a rent which the premises themselves would not command in the ordinary market.

670. Supposing that the rates were suddenly reduced in that neighbourhood, would not the landlord be able to take the same advantage of the conveniences which the situation of the premises affords to a person in that particular business, or to persons in business in general, and thus add to the rent the amount which would be saved by the reduction of the rates?—I am not able to answer that question.

671. Even in those parishes which are most heavily rated, is it not the fact that rent is constantly rising in the same manner as elsewhere; and that after the expiration of any lease there is every chance that the proprietor of a house in those parishes will be able to obtain a higher rent for it than he has obtained before?—No doubt he will have the advantage of the general increase of property. My point is this: I take for example one of our large metropolitan proprietors, take the year 1854, and assume that he let on lease 500 houses in that year, with a covenant that the tenant should pay the sewers rate, I ask what would be the tenant's idea of a sewers rate at the time of his entering into that covenant in 1854? It would be then a sewers rate proper; a sewers rate for the purpose of making sewers, and maintaining those which are made; but that with which the sewers rate is now burthened is not only the making and maintenance of sewers, but the improvement of streets, the formation of new streets, and the widening of existing streets; and the formation of parks for public health and recreation; all of which have a tendency permanently to improve the property of the metropolis; and therefore I ask, why should this large proprietor, who has entered into a bargain with his tenant in 1854, have all those reversionary advantages without contributing one shilling towards the improvement which has been carried out?

672. Is it not your opinion, that notwithstanding any amount which might be laid upon the occupiers for the purpose of defraying the expense of any probable amount of metropolitan improvement, the rental of that property progressively rises as it does elsewhere?—No doubt; and it sometimes occurs that even a higher rent is demanded for a lease, because the property is tied up, and the proprietor is deprived of the gradual improvement of the property, supposing that he anticipates such an improvement; but immediately the property is released from that obligation, we assume that he realises the fair market value of that property.

673. So that notwithstanding the great inequality of rates in regard to parts of the metropolis, even in those parts where the rates are heavy, the value of the property is still rising, quite independently of any outlay of the proprietors themselves, but merely from the general increase in the value of property in the metropolis?—It fluctuates from time to time. I believe that just now property is increasing in value, but there are times when the reverse is the case, and when property is depressed.

674. Is not the general tendency of the improvements which are being made, to increase the value of property?—No doubt the tendency in the metropolis is in that direction, and especially in prosperous times the result would be felt in a demand for property; and there is a greater demand for property.

675. So that although an injury results from the amount of the rating in particular parts of the metropolis, and although during the existence of the leases the occupiers suffer because of the inequality of the rating, yet the owners of the property in those heavily-rated districts gain an advantage, not as the result of their own exertions, but from the general circumstances of society; but it does not accrue to them quite so fast as it does in other districts, and although the value of property is increasing everywhere, yet it does not increase so rapidly as in the districts which are low rated; is not that the amount of the grievance?—No; I do not see how that affects the question which I have raised. You have a general increased value of property arising from a variety of causes; first, the increase of population, and secondly, the prosperous condition of trade; all these things have a tendency to drive up the value of property, and the reverse circumstances have a tendency to depress it; but that does not touch the real question.

676. It is understood that this does not affect the question of the incidence of the rate on the occupiers during the currency of leases, and that during this time any new burthen imposed for metropolitan improvement falls very unequally on different parts of the metropolis—that is admitted; but after the leases have expired, supposing that the burthen then comes upon the landlords, it of course falls on them very unequally, but still the amount of what they really suffer is not a loss, but merely that they do not gain quite so much from the progress of society as landlords in other parts?—But we assume, as a starting-point, that we have an equality of assessment.

677. I am referring to the state of things under the present system?—I have already stated, and I repeat that statement, that I believe that the metropolis is not properly assessed, and that great inequality exists. I propose that that should be set right by some machinery, but when set right, there would still be the difficulty left which I have named.

678. To pass to another subject, namely, the manner in which the local disbursements of Paris are regulated, is it not the fact that in the other towns of France and in the Departments also, with the exception of Paris, the municipalities or the departments are authorised to raise, for municipal or departmental purposes, what are called centimes additional; so much per cent. on the amount of the four direct contributions which are raised for Imperial purposes in those municipalities or departments?—I believe so.

679. And a provision is included in the annual Budget of the State which every year authorises the municipalities to raise, for municipal purposes, a certain

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a certain per-centage and no more, upon the amount of the direct taxes of the municipality?—I believe so.

680. Therefore the advantage which Paris has in receiving a proportion of the Imperial taxation for municipal purposes, is to a certain extent shared by the whole of France?—I believe so.

681. Mr. *Kekewich.*] Has the Metropolitan Board any control whatever over the property of the Metropolis?—None.

682. Do you receive the amount which you collect from the valuation of the poor's rate, or of the county rate?—Of the county rate.

683. I believe that you have said that the special rate was levied on the poor's rate, but that the general rate was levied on the county rate, and that in consequence of their being collected together it was not very easy to separate them?—No; what I stated was, that we levy on the county rate. In most cases the county rate is higher than the poor's rate. If we required parish aid to raise 10,000 *l.*, being a certain sum in the pound in that parish, based upon the county rate, they may find that their poor's rate is so much below the county rate, that they are obliged to levy in detail, perhaps, 3½ *d.* in the pound, instead of 3 *d.* in the pound; but there is no greater taxation in one district than in another; it merely arises from the difference of the rating.

684. Your great object is to obtain uniformity of value?—Yes.

685. Many questions have been put to you as to the rates in the different parishes; it does not depend upon the rating of the parishes, but rather upon the charging in the parishes, certain parishes having more poor, and in that way St. George's-in-the-East, or St. George-the-Martyr, pays more than St. George's, Hanover-square; but do you think that those parishes are equally valued?—I do not think that those parishes are equally rated.

686. Has any mode suggested itself by which you can arrive at an equal valuation of the whole metropolis, or do you think that it can be done by a general assessment committee, distributing sub-committees in different districts?—It is quite clear that it must be done by one body, or you cannot have uniformity of assessment.

687. You must have not only uniformity of value, but uniformity of deductions, in order to get an equal rating throughout the whole. Do you think that it would be difficult to attain that object by a large union assessment committee, and distributing sub-committees?—Of course any question involving a re-assessment of the metropolis, comprising half a million of houses, must be matter of time and labour; it is not impossible.

688. Do you think that you could in that way raise a very much larger sum for metropolitan improvements?—No, I do not quite think that; you would probably increase the amount of the aggregate rating, but my difficulty is the inequality of pressure. I think that there is an inequality of rating which should be put right, and I think that there is an inequality with regard to taxation which should be remedied.

689. How long has the county rate in the metropolitan district been established?—Many years. Of course it is carried out by magistrates for their own purposes of assessment; they assess a county rate for county purposes.

690. Do you not think that if you had one general value you would get uniformity of rating, which would lead to very great advantages?—Our metropolitan area is not co-extensive with the counties; they would be obliged to rate for county purposes independently.

691. Mr. *Bazley.*] I presume that you are favourable to a re-assessment of the metropolitan districts?—I certainly think a re-assessment important.

692. With the view of ultimately obtaining a general principle upon which there may be a general rate equally acting upon every particular district?—Yes.

693. And from reading your evidence, I infer that you are not unfavourable to an income tax. I see that you would rate property, but I think from the observations which you have already made, that you are not indisposed to rate income?—If the principle be sound for Imperial purposes, I see no reason why that principle should not be applied for municipal purposes.

694. In the event of a bank holding as much as 20,000,000 *l.* of deposits, would you tax their floating capital?—I am not prepared to go into that detail. I am now rather referring to some general principle. No such arrangement is made in Paris, as far as I know, but you should have some means of taxing the productive power of a manufacturer, or other party, and he should pay proportionately.

695. Do I understand you correctly as saying that 6,200,000 *l.* is exacted from the people of Paris for municipal purposes?—Yes.

696. What is the population?—One million six hundred thousand.

697. That amounts to about 4 *l.* sterling per head?—About that.

698. For the metropolitan districts, I think that your demands do not much exceed 2 *s.* 9 *d.* per head?—It would be so; it is indirect taxation in the whole of Paris.

699. Mr. Alderman *Lawrence.*] You have been asked respecting the equalization of the poor rate throughout the metropolis in order to ease the burthens upon the heavily burthened parishes; do you think that it would ever be possible to get an equalization of the poor rate without having an equalization of the land tax, and without having in some form or other an equalization of the varying county rate?—I think that it would be quite possible to have the county rate put on a uniform footing; if you ask me whether there ought to be a revision of the land tax, that is a complicated question, because the redemptions have been very great, and in some cases, no doubt, it becomes very oppressive, but as a principle one would equalize the tax.

700. The metropolitan area, I believe, is situated in four counties?—Yes.

701. And I believe that the county rates are different?—They are somewhat different.

702. Do you not think that if the metropolitan improvements have to wait until we obtain an equality of poor rate they will be procrastinated for some years to come?—I am unable to say how that question may end.

703. You have been asked respecting the occupiers of houses, whether they do not generally hold under leases; although that may be true with respect to large occupations, and as to shops, do you not think, taking the whole metropolitan area, that you might regard three-fourths of the houses as being occupied, either by tenants at will, or under agreements for three years, the landlords doing the repairs?—I do not know what

what proportion, but no doubt a large number are held either under annual tenancies, or under agreements for three years.

704. So that all the arguments founded upon existing agreements, would fall to the ground?—Yes; to that extent.

705. I think you said that the window-tax was abolished?—Yes.

706. I believe that we do not call the tithes abolished, because they are commuted?—No.

707. Are you not aware that the house-tax and the window-tax were established nearly at the same time, the house-tax being a tax of 2 *s.* in the pound payable by the tenant, and deducted by him from the landlord; and the window-tax, according to the number of windows being payable by the tenant, and not deducted from the landlord?—Yes.

708. Are you not aware that the house-tax, chargeable upon the landlord, was abolished many years since, and that the window-tax remained, and that some years afterwards the window-tax was commuted into a tax upon the rental, instead of being a tax upon the number of windows, and such tax was called the house tax, but was made payable by the tenaut, and was not to be deducted from the landlord, as was the former house tax?—No doubt.

709. With respect to the present house-tax, are you aware of the nature of that tax as to its pressing equally or unequally throughout the metropolis?—It is a tax of a different amount upon warehouses and upon private houses; the amount being 6 *d.* or 9 *d.*, it is charged upon the gross rental.

710. And it is a tax upon residential houses, and not upon workshops or premises?—Upon warehouses and shops, it is charged at a less rate.

711. Are you aware that warehouses, if no one sleeps upon the premises, are free from that tax?—Yes.

712. And are you aware that houses under 20 *l.* a year are free from that tax, but that houses of a larger amount, although let out in separate compartments, are charged with that tax?—That is so, and so far, I think, that the principle is bad; I think that all exemptions are bad.

713. With respect to the hackney carriage and cab tax for which you state the metropolis has to pay annually nearly 45,000 *l.* extra, are you aware that the result is, that in London we have the worst hackney carriages of any city in Europe, or of any town or city in England?—I am not aware that the condition of the cabs and horses is due to the tax. It may be due to the government under which they have been placed. If they had been in the hands of the municipality, the result might have been different; judging from analogy in most of the towns, namely, Brighton and other towns, we have creditable carriages, whereas in London where it is under the police, we have a different state of things.

714. Do you admit that London is supplied with the worst cabs and hackney carriages of any city in Europe?—Yes, I fully admit that.

715. Mr. *Tite.*] With regard to the cab question, do we not pay a far less fare in London than they do in Brighton or Hastings, or any of those places?—We do.

716. In London it is 6 *d.* a mile, and in Brighton and Hastings it is 1 *s.* a mile, which may have something to do with it?—Yes.

717. It seems to have been assumed that the value of all house property in London is going up; is not that subject to a good many fluctuations. In the City we will admit that the value has been enormously increased, but taking, for instance, the parish of Saint Pancras, is not the property in St. Pancras less valuable than it used to be?—I think that the tendency just now arising from the causes which I have assigned, is towards a rise in the value of property, but with reference to the value of property within the City of London, there has been an unnatural rise, which is a state of things that probably will not be maintained. It does not apply to the metropolis as a whole.

718. As regards St. Pancras, Russell-square, Bedford-square, Bedford-place, and Montague-place, has there not been a fall in the value of the property by about one-third in many places?—Yes, up to a few years ago there was a considerable reduction, but from inquiry, I understand that that class of property to which you have referred has very much gone up of late, and that rents have increased in value.

719. I apprehend that what you seek is not to go into the vexed question of the assimilation of the rates of the whole metropolis, but you merely ask that the rating shall be fairly and carefully done according to the law, which is, that the full fair rent shall be made the subject of the rating to the poor's rate?—Entirely.

720. And you believe that at present it is unequal?—I do.

721. In your round is that inequality considerable?—In some cases it is.

722. With regard to the letting of houses at the rack rents, the theory has been suggested, that eventually it will fall on the landlord. In your experience does it do so; are there not so many causes of disturbance that the tenant if he does not choose to comply with the requirements of the landlord, must leave his house, or his premises?—Yes.

723. You have said that the tenant pays the sewers rate instead of the landlord?—Yes, and I believe that as a rule, it is paid out of the income of the man, rather than his receiving it back in the shape of rent.

724. And, looking back to what has been done, the injustice is not at all got over by the suggestion that the rent is diminished by the value of the sewers rate, because your illustration was, that a nobleman or gentleman might have let 100 houses in 1854, the sewers rate at that time being probably not more than 2 *d.*, and it being now something like 6 *d.* or 7 *d.*, and that he had had the benefit of that and had put it into his pocket, and that it had fallen upon the tenant?—Yes.

725. And in certain parishes it falls very heavily upon a small tenant who is struggling for a living?—Yes.

726. And that is the sense in which you think that the taxation has gone to its limit?—Yes.

727. Mr. Alderman *Lawrence.*] Is not the Board of Works, as at present constituted, a machinery for improving the property of landlords in reversion, at the expense of the tenants?—I am not able to say that we have been appointed for that purpose, but the practical result is, that we do improve the value of property in the way that I have described, and that the landlord does not contribute a fair proportion to that improvement.

728. *Chairman.*] Do you consider that the greater proportion of that expenditure is for permanent improvements?—Yes, certainly.

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729. And that the effect of it will be felt for many years to come, even to 100 years, upon the property of the metropolis?—Certainly; I believe that the Thames Embankment is a great advantage to this metropolis, and increases its value. The advantage of wide and convenient streets also increases permanently the value of property.

730. Therefore your works in that respect are co-extensive with the fee-simple value of the land?—No doubt.

731. Are the works of permanent improvement, works which have been created by new law?—Yes, no doubt they are the creation of the law since the period which I have named. I have spoken of the year 1854, because since that period a permanent rate for main drainage purposes for 40 years has been made.

732. In your judgment, does the main drainage rate come within the fair definition of sewerage, or do you consider it a work of a permanent character for the benefit of the freeholder?—I consider it a work of a permanent character, and without such an outlet it is clear that the metropolis could not go on; and the effect of that main drainage system has been to reduce the rate of mortality something like 10 per cent.

733. Is it your opinion that these charges being the result of new laws, it is quite competent to Parliament, when it creates new laws and new charges, to define the incidence of them without affecting in any way the previous right of property?—Certainly.

734. And therefore it is quite competent to Parliament to attach any incidence of taxation to them which it thinks reasonable?—Certainly.

735. Looking at this question from that point of view, does it appear to you reasonable that those who are to derive a permanent benefit from these improvements, should bear some of the burthen?—Yes.

736. Does it appear to you reasonable that the outlay which is made by you for permanent and enduring improvements, should be reimbursed to your Board by a charge which is to come upon the permanent owners of the property in porportion to the extent and duration of their interest?—Yes.

737. Then are we to understand you that in speaking of the tax being levied in proportion to the property as compared with the freehold, you would desire at all events to carry it to that extent?—Yes.

738. Does it not appear to you that there are great difficulties in carrying taxation upon property beyond that, and in carrying it into the general property of the country for local purposes?—No doubt there would be difficulties in applying it to our system.

739. I understood you to say that you thought that it might be done in the same way as with the income tax; but would not there be very great difficulty in carrying it out, inasmuch as at present the income of the country is subject to local burthens at the place where it arises?—No doubt, but the area would be one over which the municipality would exercise control and jurisdiction, and it would not come out of the general Imperial fund.

740. In speaking of the income tax, you did not mean the income derived from property in general, but local income?—I apply the same principle as is applied in Paris; there it is local.

741. Is there any income tax in Paris on personal property, of which any per-centage is taken for local purposes?—There is a tax on what is called moveable property; a man's furniture and stock-in-trade, and everything else is valued.

742. But not personal property in the shape of income?—No.

743. Therefore, you would not carry that idea to the extent of income tax as contradistinguished from property tax?—No; my point was to show that so far as the government of Paris was concerned it had the assistance of the State in collecting the greater part of the revenue, and that in carrying out that principle it might be somewhat adapted to our taxation in this country. I merely stated that to illustrate the principle.

744. Can you furnish the Committee with a classification of the expenditure which you have made in different districts of the metropolis, and of how much money has been spent by you in different districts?—The large improvements would show that at once.

745. Can you make it out in a statement?—It would be somewhat difficult, spread over a large area.

746. Are the most expensive improvements which have been undertaken those which are made for the convenience of the wealthier classes going from the west end of London to the City?—I do not know that they are confined to the wealthier classes; it is a question of convenience to all classes, trading and otherwise.

747. Do you think that the Thames Embankment has been made, because the foot passengers find the access too crowded in the Strand, or because carriages cannot go there?—I think that it is for general convenience, for all persons having business in the City.

748. But people who resort from the west end to the City, are chiefly persons of property?—No doubt a great number of the gentlemen in the west, may go to the Bank to receive their dividends, and so far they are inconvenienced by the crowding of the streets, but they form a very small portion of the traffic.

749. But still the greater part of the expenditure which you have hitherto made in improvement, is for an access from Westminster to the City by the Thames Embankment?—Our new street in Southwark also forms an important communication from the west to the railway.

750. Was not that also made as an access from Westminster Bridge and from the districts beyond it to the City, rather than for the convenience of the people in Southwark?—No doubt it was made to accommodate the City traffic.

751. Without going into details of other great improvements in London which are now going on, has the improvement of Holborn Hill been made for the access of the people living in Marylebone and so on to the City?—I think that it will be a general improvement.

752. But still it is for an access from the west end of London to the City?—Of course, in any large city, the tendency will be to the centre, and it is for the purpose of facilitating the traffic that these improvements are made.

753. But the property which is increased in value, is the special district improved?—No doubt.

754. Do you not think that making the Thames Embankment a great thoroughfare from the houses in the southern part of Westminster has tended considerably to enhance the value of that part of the town?—Very greatly.

755. And yet we find that this is the part of the town which is paying the smallest amount of taxation

tion; having regard to this question, do you think that it is reasonable that an indirect tax should be levied upon the industry of the east side of London, which does not seem to derive any direct benefit from these improvements?—But the east side of London has derived benefit.

756. Has it derived any direct benefit from these extensive improvements?—The Victoria Park approach, for example, in the Tower Hamlets, is a very great improvement, and will be appreciated more and more as the population increases in that district.

757. How much has it cost?—About 42,000 *l.*; we are now carrying out an improvement in Whitechapel at a cost of about 130,000 *l.* or 140,000 *l.*, and there are minor improvements to which we have contributed.

758. And the Thames Embankment has cost about 2,000,000 *l.*?—No doubt it is not in proportion.

759. And the improvement of Park-lane is to cost 105,000 *l.*, and the works in all these Bills are to cost several hundred thousand pounds more; therefore, looking to the way in which improvements have benefited property, and benefited occupiers to some extent, do you think it reasonable that indirect taxation should be levied in aid of these improvements on the east end of London, which derives no local benefit from the enormous excess of expenditure?—I believe that it is of vital importance that the metropolis should contribute to a common fund for the purpose of improving the metropolis as a whole. That you may carry out improvements costing an immense amount in any particular district is perfectly clear; but I speak of the most pressing improvements from time to time in the different districts more or less improving the metropolis as a whole, and every citizen should bear his fair proportion of the cost of these improvements; I therefore think than an extension of indirect taxation would be just upon all parts of the metropolis; but in order that that indirect taxation may not extend beyond what is fair, I have suggested that we should have a rate of the character which we have been discussing.

760. Having regard to the fact that you are desiring to expend immediately 800,000 *l.* on the permanent improvement of the west end of London, do you think that that is a reason for putting a new tax upon the industry of the people of the east end of London?—When you speak of "industry," it is necessary to have a definition of that term; if you have regard to the preconceived notions of the parties, they might dislike the tax; but I do not believe that it is oppressive upon the industry.

761. Still if the tax is to be paid upon industrial income, it must fall either upon the master or upon the workman, or upon both?—That depends entirely upon the question, whether they are subject to a charge external to and beyond the tax. If the tax is equal upon all parties there is no oppression.

762. That may be so if the tax is a general tax throughout all the land; but is not this a special tax upon a certain class of the community?—Persons might desire freedom from all taxation, but they must have some tax; I apprehend that the tax to which the honourable Chairman refers is the coal-tax; that is an indirect tax, and I think that it falls equally upon all parties, that is to say all traders within the limit, and that they can have no ground of complaint. It is not a question which affects gas companies, because gas within that area is manufactured upon the same cost of the raw material, and they obtain a return by a charge per 1,000 cubic feet for the gas, and therefore it is no hardship. It is no hardship upon water companies and other parties; it is no hardship upon manufacturer A. as compared with manufacturer B., because they are paying just in proportion to their productive power, and if A. is consuming 500,000 tons of coal, and B. 200,000 tons, it is clear that as the productive power of A. is greater than that of B. he must pay in proportion, because all pay within the same area.

763. It is a tax upon his industry, as compared with the industry of the country?—As a tax no doubt it is; but when you say the "industry of the country," you must have regard to a variety of circumstances before you arrive at a proper conclusion. I stated, on Monday, that this tax upon coal, in my judgment, was not oppressive on the manufacturers of the metropolis.

764. Is not the reason which you have given the reason which is given for all taxation by protectionists, namely, that the incidence of taxation is not felt, because it is supposed that persons are manufacturing under different conditions in different places?—It is not at all an exceptional thing to tax coal; coal is taxed by many other municipalities; take, for instance, Brighton, there you have a tax of 2 *s.* 6 *d.* per ton; and there are many other municipal bodies who are taxing ocal. If you refer to Sir William Hutt's return, which I think was made in 1848, I believe you will see that the tax upon coal is a very universal tax.

765. Are you aware that in Dublin, which is a case nearest approaching that of the metropolis, all manufactories are exempt from the coal-tax which is levied in Dublin?—Yes; and I think that that is an infirmity in the Dublin system.

766. You think that it is an infirmity to exempt trade from that which is intended to be a taxation in the nature of an indirect house-tax?—Certainly; I think it is an infirmity, because I think that the rating of the premises in which large trade is carried on is not a fair test of the ability of the person to pay the municipal burden, whereas this is a fair test, because he pays just in proportion to his productive power; if he consumes 500 tons, he pays just in proportion as a result; and I further say that London is a port possessing such advantages, it presenting the means of conveying the raw material and the manufactured article so that that manufactured article can be distributed to all parts of the world, that persons will elect to establish manufactures in the metropolis rather than in other places where coal is cheaper, and where it is free from this tax?—I therefore take it that the tax is not in its nature oppressive on industry, because the London firms are thriving under that condition of things.

767. You think that a tax may not be oppressive and unjust, because it is not suppressive and prohibitory?—I think that it is a fair argument to show that it is not oppressive, because persons elect to establish their manufacturing works where there is that tax.

768. If your view prevailed, you would in the same way propose to tax every manufacturer in London at a per-centage upon his industrial products or his industry?—It depends upon the article to be taxed; you have great difficulty in

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defending any tax in the abstract; it is undoubtedly a tax, and you object to it, but you must have a certain amount of taxation, and a certain amount of indirect taxation, or you cannot carry on the Government.

769. Do you think that as a mode of levying indirect taxation, it would be fair to tax every manufacturer upon his products without reference even to his profits?—I do not admit that that is analogous.

770. Are you not, whenever you are levying a tax upon the coal in the metropolis, levying a tax upon the manufactures in gross, and not upon manufacturers' profits?—I think that manufacturers are prospering, and that they are settling in London in the presence of that tax, and that they are doing a larger and more profitable business than firms which are not so situated, and therefore I conclude that the tax does not operate as you have stated.

771. In the cases where a coal tax, as you have stated, is levied in other towns in England, are they not residential towns as distinguished from manufacturing towns?—I cannot answer that question without looking at the return.

772. Have you looked to the return to ascertain whether such a tax exists in towns which are industrial towns?—I have not, but the principle of a drawback is so fraught with injustice that one cannot, with a sense of justice, recognise the principle as sound. It is utterly impossible to declare who is and who is not a manufacturer. For instance, take the article of coal; are you prepared to say that a baker, making his bread, is not a manufacturer? Are you prepared to exclude all the smaller manufacturers using coal as a means of trade, and to give to the larger manufacturers just the difference of the drawback? In that case a small struggling tradesman will not derive any of the benefit, and it will go into the hands of the large sugar refiners and other persons, who are shown by their returns to be carrying on their business prosperously.

773. Then, as you have selected those manufacturers, is not that an evidence of the injustice of the tax?—No, I do not admit that position; I say that the tax has been in existence for 200 years, and that these manufacturers have been subjected to the tax, and have paid the tax, and have prospered under the tax.

774. Still, while they have not been ruined by it, is it any reason why they should be subject to a taxation which other people do not bear?—There is a specialty in every tax; you may say, Why should there be a main drainage rate of 3*d.* in the metropolis? and you may take individual cases.

775. Is it not our duty in taxation to impose what is just between man and man, rather than what is unjust?—That depends upon one's notions of justice; I do not see any injustice in it.

776. In justice, should not a tax be abolished which falls exclusively upon a particular class, if you are to have an indirect system of taxation?—But it does not fall upon a particular class.

777. Does it fall upon the industry of the watchmaker?—It does not fall upon the industry of the watchmaker as a watchmaker.

778. Or the greengrocer?—Or the greengrocer; but the greengrocer is a consumer of coal, and, in proportion to his means, he pays upon that article.

779. Does he consume it in his business, or in his household?—It may not be necessary for him to consume it in his manufacture.

780. He does not consume it in his manufacture, the same as the blacksmith?—It may be so.

781. Mr. Alderman *Lawrence.*] Do you think that if the coal tax were abolished, the sugar houses, and the breweries, and the other large manufactories in the eastern part of the metropolis, would be enabled to sell their sugar or their beer any cheaper to the public?—I believe that if the tax were remitted to-morrow, the large manufacturers would pocket the difference, and that the public would not benefit one fraction. I think that at all events the manufacturers would combine, and that we should be very much in the same condition as when the duty was taken off leather, and we had to pay more for our boots.

782. Mr. *Tite.*] I believe that the coal tax is mortgaged for 16¼ years?—Yes.

783. Will you put in a return of what you think the coal tax would produce in present money, for five years, and for 10 years?—I will do so.

The Witness delivered in the following Papers:

Revenue of City of Paris, 1865.

	Fr.	*c.*	£.	*s.*	*d.*
Ordinary receipts, as per separate statement - -	128,527,863	31	5,141,114	10	8
Extraordinary receipts, chiefly sale of surplus land, under Improvement Acts.	12,223,000	–	488,920	–	–
Supplementary receipts, outstanding claims on former years.	5,000,000	–	200,000	–	–
Extraordinary receipts applicable to special funds, being outstanding claims on various improvements.	9,839,177	20	393,567	1	9
General Total of Receipts - - -	155,590,041	51	6,223,601	12	5

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STATEMENT.

	Fr.	*c.*	£.	*s.*	*d.*
Government contribution	3,084,000	–	123,360	–	–
Tolls on articles of consumption	88,283,000	–	3,531,320	–	–
Markets	7,870,410	–	314,816	8	–
Weights and measures	1,131,000	–	45,240	–	–
Highway rates	405,000	–	16,200	–	–
Water supply	5,552,799	–	222,111	19	2
Slaughter houses	2,355,000	–	94,200	–	–
Bonded warehouses	429,000	–	17,160	–	–
Rent of stalls on public way	3,089,667	98	123,586	14	5
Rent of City lands	1,161,342	55	46,453	14	1
Copies of legal documents	151,000	–	6,040	–	–
Burial tax	694,175	–	27,767	–	–
From sale of graves in cemeteries	1,520,600	–	60,824	–	–
Contracts for night soil	660,000	–	26,400	–	–
Contributions, bequests, and donations	10,254,922	33	410,196	17	10
Sundry receipts	1,885,946	45	75,437	17	2
TOTAL	128,527,863	31	5,141,14	10	8

Population - - - - - - - - 1,667,841.

Assessed Taxes, 1865.

	Francs.	£.	*s.*	*d.*
Land tax	10,585,699	423,427	19	2
Tax on personals	5,945,852	237,834	1	8
Door and window tax	4,418,524	176,740	19	2
Patent duty	15,200,000	608,000	–	–
	36,150,075	1,446,003	–	–

Government Contribution to Local Revenue.

	Francs.	£.	*s.*	*d.*
5 per cent. on land tax	528,300	21,132	–	–
5 per cent. on tax on personals	291,000	11,640	–	–
8 per cent. on patent duty	1,162,700	46,508	–	–
3 per cent. on education rate	1,060,500	42,420	–	–
10 per cent. on carriage and horse duty	40,000	1,600	–	–
Repayment of expenses of valuations in appeal cases	1,500	60	–	–
	3,084,000	123,360	–	–

Monday, 19*th March* 1866.

MEMBERS PRESENT:

Mr. Ayrton.
Mr. T. G. Baring.
Mr. Bazley.
Mr. Beecroft.
Mr. Kekewich.
Mr. Alderman Lawrence.
Mr. Locke.
Lord John Manners.
Mr. Mill.
Sir Matthew White Ridley.
Mr. Sandford.
Mr. Tite.
Mr. Turner.

ACTON SMEE AYRTON, Esq., IN THE CHAIR.

Sir JOHN THWAITES, called in; and further Examined.

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784. *Chairman.*] YOU were to furnish the Committee with a detail, showing the sums which made up the items of the rate for general purposes?—I have a return showing the amounts paid in each year from 1856 to 1866 inclusive, and the several heads under which the expenditure has been made. (*The Witness delivered in the same.*—Vide *Appendix*).

785. Will you state the details, as far as you can, of the expenditure of the Board for the last year, under convenient heads?—For sewerage works other than main drainage works, 42,800 *l.*

786. Are those sewerage works chiefly of a small subsidiary character, or of a permanent and general character?—They are large works, and undoubtedly of a permanent character; small subsidiary sewers are vested in the district boards and vestries.

787. Then the comparatively small drainage works are left to district boards and vestries?—Yes.

788. Will you state the next item of expenditure?—The next item of expenditure is 10,000 *l.*, which has been contributed by the Board to improvements carried out by the local authorities.

789. Are those improvements in the nature of street improvements of a permanent character, or are they temporary?—They are all of a permanent character.

790. Why are those not undertaken altogether by the Board?—Because they are of a semi-metropolitan character; they have reference rather to the convenience of the locality, and yet it is difficult to say where the local liability ends and the metropolitan liability commences. But having regard to the general improvement of the metropolis in widening streets, we have contributed in the proportion of one-third, or in the proportion of one-half of the cost.

791. Has the Board laid down any measure for itself in dealing with improvements of this mixed character?—The rule is about one-third, the local authorities subscribing the two-thirds.

792. That is to say, expending two-thirds out of the local rates?—Yes.

793. Are those local rates levied upon the whole of the district, subject to the local board, or upon a portion of a district?—They cover the whole area.

794. Will you be good enough to state the next item?—The next item is 20,528 *l.* 8 *s.* 4 *d.* establishment charges, including compensation allowance to late officers.

795. Does that include the entire establishment under the control of the Metropolitan Board, for all its works?—Yes.

796. Is there no allocation of charges to different works under their control?—Yes; to special works.

797. Therefore it excludes the expenditure of the Board for establishment on special works?—Yes.

798. That expenditure being charged to each work?—Yes. It varies very much; you may at one time, for example, have 200 *l.* for works, and 50 *l.* at another; it entirely depends upon the nature of the works in hand.

799. Those are the whole establishment charges, exclusive of special works?—Yes. There is a certain per-centage charged to main drainage, for example, or for any particular street which the Board are carrying out under Act of Parliament.

800. We understand that the principle is, to make up the whole account of the Board with respect to establishment charges, and then to allocate it by a per-centage in regard to particular works?—Yes; a certain per-centage, not the whole.

801. Can you state what per-centage is so allocated?—It varies from time to time. For example, one work may be in full operation, and another may be nearly finished, and this charge on the several works is dependent upon the condition of the works at the time, and is therefore altered, I think, every six months.

802. Would it not be the same rate of per-centage, although a different amount of charge?—No; it is dependent upon the amount of labour employed in the office, and is constantly varying; it is sometimes 20 per cent. and sometimes 5.

803. Can you give the Committee any idea of the whole sum annually spent by the Board in establishment charges, including all the works?—The charge will vary considerably; it is dependent upon the number of officers employed, and that is dependent upon the number of works going on; but I think that the average is from 28,000 *l.* to 30,000 *l.* a year, and the difference is charged on the special fund.

804. Would that include all the officers employed in and assisting in the discharge of all the duties

duties which are cast upon the Metropolitan Board?—Yes.

805. What is the next item?—The next item is the expenditure under the Sale of Gas Act. The Committee are aware that it is the duty of the Board under that Act to appoint inspectors, whose business it is to ascertain the condition of all meters, and to stamp all meters found correct, and that there is a penalty if any meter is used not so stamped. That Act has been very much evaded, which would rather account for the expenditure of the Board under that Act. It cost the ratepayers in carrying out that Act 1,710 *l.* in the year 1865.

806. What is the next item?—The next item is 7,000 *l.* for the houseless poor, under the Houseless Poor Act.

807. What is the next item?—The next is the item of 45,778 *l.* 3*s.* 4 *d.*, the repayment of loans and interest on mortgage debts of the Board.

808. Are those the debts and loans contracted for the local improvements which are not charged upon any particular source of income?—Yes, they are charged upon the general rates.

809. What is the next item?—The next item is the repayment of 13,500 *l.* principal on loans contracted by the late Commissioners of Sewers, which were made by the Metropolis Local Management Act an obligation on the Board.

810. On its first establishment?—Yes; there is a debt of between 400,000 *l.* and 500,000 *l.*

811. That is also charged upon the general rate?—Yes; 13,500 *l.* has been paid off the principal, and 6,684 *l.* 14*s.* 8*d.* has been paid for interest last year.

812. How much principal have you liquidated since the establishment of the Metropolitan Board?—A large amount; that will be seen on the previous Papers that I have handed in. This is for 1865.

813. What is the next item?—Simply the several items added up; giving a total of 148,001 *l.* 6 *s.* 4 *d.*

814. That is met by a general rate?—A precept on the general rates.

815. For the last year how much was it in the pound?—It produces 60,000 *l.*

816. It would be about 2½ *d.*?—Yes, somewhere thereabouts.

817. Does it seem to you, from that statement, that the whole, or nearly the whole, of your expenditure, with the exception of that upon meters and the casual poor, is for permanent works for the benefit of those entitled to the freehold of the metropolis?—Clearly.

818. Then all the expenditure which is of a yearly character is made by the local boards for the benefit of the occupiers?—Yes, general surface improvements, but undoubtedly many of the works carried out by local boards and vestries are of a permanent character, the sewerage of the district, for example.

819. As well as improvements carried out by them?—Yes.

820. Does not that expenditure form a very small part of the general expenditure of the local boards?—In some districts it would be a very heavy item, in consequence of the main drainage being completed, giving an outfall to districts which, up to this time had no outfall at all, and have necessarily been compelled to arrange some general system of drainage; and that, undoubtedly, in some cases, will be very heavy: in Greenwich and in Camberwell, for example, they were closed up until our main sewer was erected; now they have a system of main drainage. The houses were subject to flooding in a fall of rain.

821. Has your Board considered whether it would be more for the benefit of the inhabitants with reference to the Chancellor of the Exchequer's letter to the Board, that the tax upon cabs and other vehicles should be altogether remitted rather than that it should be continued as an indirect source of revenue?—If the Imperial tax were removed from cabs it would be a mere question for the Board to consider whether a taxation on cabs would not be a legitimate tax for local purposes. If the result be the wearing of our streets, which occasions a great cost to the ratepayers, it would rather point to that as a fair tax for municipal objects.

822. Could that tax with propriety be levied by the Metropolitan Board, or would it not be the case that the streets which were worn would have to be repaired by the particular district in which they were placed, while the revenue would go to the general taxation of the metropolis?—Cabs find their way to all parts of the metropolis, and, undoubtedly, every pound which passes into the central exchequer, other than the direct tax on the ratepayers, should be employed in relief of the districts.

823. Mr. *Locke.*] You have spoken of contributions by the Metropolitan Board of Works to different parishes or districts for carrying out improvements?—Yes.

824. Is it the parish or the Metropolitan Board of Works who makes the first suggestion?—It is usually made by the district board or vestry; for example, it frequently occurs that houses are taken down or destroyed by fire, and before they are rebuilt the local authorities, having regard to the importance of the street, are desirous of setting those houses back, and they generally negotiate with the owner, and then apply to our Board for a contribution.

825. Have the Metropolitan Board of Works any specific rule which they have laid down with respect to improvements in streets with regard to widening them as opportunities may occur, by, as you say, houses being burnt down or pulled down?—Only in the way to which I have referred, namely on the application of the vestry or district board.

826. Then the Metropolitan Board of Works does not exercise any surveillance itself over these matters?—In street improvements, which are generally large improvements, it does; but we are now speaking of small local improvements.

827. That is as to a specific improvement; but has the Metropolitan Board of Works laid down any general scheme or any plan for the metropolis; you are aware that a plan was laid down formerly by the City of London as to the new streets which were required, and the improvements which were necessary in other streets?—That is a perfectly distinct class of improvements; I thought that you referred to the improvements to which the Board contributed; that would refer to improvements carried out by the Board without any local contribution.

828. There are a great many streets in London where at certain points in the street there is no room for two carriages to pass, and the consequence is that we are given to understand that it is the narrowest part of the street which regulates

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regulates the traffic in that street, and creates the stoppages throughout the wider part?—Yes.

829. Has the Board obtained any plan showing all these improvements, which are small in extent, which ought to be made so as to take advantage of the pulling down of a house, or of a house being burnt down where that may occur?—The Board, as a Board, have not laid down any particular rule, but the *modus operandi* is this: that the local authorities applying to the Board for a contribution in respect of improvement A. in B. street, there will be shown on a plan how far the improvement in question will widen the street, and what is the general line; as has been the case in Newgate-street, for example, the houses have been taken down from time to time and set back to an understood line. That is understood by the authorities of the City, and understood by us, and from time to time applications are made that the Board would contribute towards setting back any particular house, until the street becomes widened. Therefore, so far as the street in question is concerned, when we commence a contribution we have in the first instance regard to a general line, and all the subsequent improvements are ruled by that line so laid down.

830. Then it appears that the local board take the initiative in these matters entirely?—Yes, in applying.

831. And therefore it is left to the local board to say what improvements of that description they consider necessary in their locality, and the Metropolitan Board of Works only direct their attention to large improvements, such as making a new street, or such as pulling down Middle-row, Holborn, where a large block of buildings is taken down to widen the street?—We direct our attention to both, because immediately that an application is made by any local authority asking for a contribution towards a particular improvement, that matter is referred to a Committee of our Board; they then go into the whole question as to the desirability of any particular improvement, and whether the line fixed by the local body is a line consistent with the requirements of the metropolis, whether the sum agreed upon is reasonable, and to what extent the Board should contribute. That is examined by our own officer, who reports from time to time to the Committee the whole of the facts as to the traffic, the necessity for widening, and other particulars. But undoubtedly the local authority first suggests the improvement to us (I am speaking of a local minor improvement), and then it is dealt with in the manner which I have described.

832. Do you not think that it would be a preferable plan, if you were to suggest the improvements to them, and to have one general scheme laid down for a survey of all the streets in the metropolis, pointing out where benefit would be derived from alterations, let them be large or small, in all the streets in the metropolis, and where an opportunity occurred, calling the attention of the local board to the fact; and when a house was burned down, or a house was taken down, calling upon them to make the improvement, and you giving your contribution: do you not think that that would tend very much to the improvement of the streets in the metropolis, and to the widening of the thoroughfares, and to the facilitating of the traffic?—We have a list of improvements which are required in the metropolis, marked upon a plan; but those improvements to which reference has been made are purely local, and arising out of fires or the action of local proprietors from time to time, which probably may only be known to the local authorities, and then a representation is made to our Board. So far as general metropolitan improvements are concerned we have a list, and I believe that the cost of carrying out those improvements would probably be 10,000,000 *l.* or 15,000,000 *l.* sterling.

833. I will take as an example Newgate-street, where several houses have been set back. A part of Newgate-street is a wide street, and other parts are narrow; are you not aware that the Corporation of London laid down a plan by which Newgate-street was to be widened, and that that widening should be carried out as occasion offered for doing so?—I have just stated the fact that it is so, that the Corporation laid down a plan.

834. Do you not think that it would be an advantage that you should lay down a similar plan upon a certain scale, for the whole metropolis. I will give you an instance—take the top of Chancery-lane into which only one carriage can enter—and the consequence I believe is, that stoppages occur in so wide a street as Holborn, in consequence of omnibuses and carriages not being able to go down Chancery-lane. A short time since, a very large and expensive house was rebuilt exactly upon that spot at the corner of Chancery-lane, and that nuisance has been continued down to the present time?—Yes.

835. If there had been a general plan on which it was laid down that the top of Chancery-lane ought to be widened, would it not have been as a matter of course open to the Board to prevent the rebuilding of that house, they compensating the owner of it for his ground, whatever it might be worth, and then throwing open that land to the public, and widening the street?—We have already done so; it is one of the improvements marked in the list to which I have referred.

836. Are you aware that it is since the Metropolitan Board of Works has been established that that house has been rebuilt?—Yes.

837. Mr. *Tite.*] The list to which you refer is long anterior to the building of that house?—Yes.

838. But the Metropolitan Board of Works have no compulsory power?—No.

839. Mr. *Locke.*] Do you think it necessary that there should be a compulsory power in that way?—No doubt that is so. The Board is unable to deal with the properties of parties, unless by agreement, apart from compulsory power. Immediately you approach a private person, you having no compulsory power, and intimate that you desire to have his house or premises for the purposes of public improvement, he will probably fix a price three times its value, and if we have but three persons to deal with, we find it almost impossible, in the absence of compulsory power, to make any arrangement whatever.

840. Do you think that it would be worth while to have an Act of Parliament for the purpose of meeting that case?—There is the absence of funds.

841. The parish would contribute, and would probably have to pay a large amount, would it not?—The parish would not contribute to the widening of Chancery-lane.

842. Do you think that it would be advantageous to have a compulsory power for the purpose

purpose of carrying out this matter throughout the metropolis?—Yes; I think that if carried out with discretion it would be desirable; but Parliament has shown an indisposition to give the power as respects private property, unless with power to the owner of the private property to appear before the Committee.

843. If a general scheme were laid down, as I have suggested, pointing out upon a map all those subjects of improvement in the case of a very small number of houses having to be taken down, and if an Act were obtained empowering the Metropolitan Board of Works to carry out those improvements, do you not think that it would be a beneficial thing, defining those improvements in the first place, and then having power to carry them out?—Of course we should very much prefer having general power which we could carry out from time to time; it would save us a great deal of labour, and also expense, in applying to Parliament from time to time, but it is rather a matter for the House, and a constitutional question.

844. Mr. *Kekewich.*] As far as I understand you, you first receive an application from the parish authorities with regard to any improvement which they wish to make, and you then send your own officers, and if you find that those improvements are of a beneficial character, you grant, say one-third, or some proportion, towards the expense?—That is so in respect of those particular improvements to which the honourable Member has referred, but those are what we call the minor and local improvements, and not the large improvements which the Board has been in the habit of carrying out.

845. But still you think it a beneficial expenditure of public money?—Yes.

846. As to the manner in which you collect your rates and receive the money, do you send out contribution orders?—The Board, once in each year, for general purposes, issues a precept on the local authorities, requiring the payment of a given sum, and that is so much in the pound upon the county rate; the local authorities then proceed to collect in detail on the poor's rate, and pay to an amount satisfying the precept. We issue a second precept for main drainage purposes, which is a charge of 3 *d.* in the pound on the county rate also; that is paid in like manner.

847. To whom are those orders directed?—To the district boards and vestries; the local authorities.

848. Is a collector appointed in each parish to collect the rates?—Yes; if the precept is to a parish, of course they have their ordinary collector, but if it is to a district board, then the district board issue an order upon the overseers of the several parishes; in some cases there may be eight or ten parishes united in one district board.

849. How often in the year is that order from the Metropolitan Board issued?—Twice in the year; once for general purposes, and once for main drainage purposes.

850. Lord *John Manners.*] What would be the local authority which would have charge of the local improvement in Chancery-lane?—I apprehend that it would be the Holborn District Board of Works. Supposing that an application were made to us to contribute, it would be made by such Board; but there is another question, namely, whether such an improvement is not a metropolitan improvement, and therefore entirely with us.

851. But in fact no application was made?—Some applications were entered into at the time, but the Board having no statutory power to deal with the property, we found it utterly impossible to make terms with the parties.

852. As regards these small local improvements, I suppose that a great many years must necessarily elapse before any general plan could be laid down to carry them into effect?—I do not think that it would be possible to lay down any special plan to govern those smaller improvements; with regard to larger improvements, I think that it is desirable, and the Board has done that.

853. I wish to obtain your opinion upon the smaller improvements, as they are called, namely, whether you think that the Metropolitan Board of Works should lay down any general plan for the whole of the Metropolis?—I think not in respect of those local improvements; if they so laid down a plan, and it was published and issued, I think that it would become very injurious, because it is surprising how soon trade revives in the presence of an improvement, and an increased cost would necessarily follow.

854. I suppose that a proportion of these local improvements would result from great railways and railway stations in the heart of the property so situated, which could not be known for some years beforehand?—Quite so, and circumstances occur which enable you to carry out an improvement of great value at a small cost.

855. Are many of those improvements, or some of them, of so small a character that although important in the locality, they would escape the notice of the general Board, though they might find their way to the notice of the local authorities?—Quite so. It frequently occurs, for instance, that we are asked for a contribution by the City of London, who are anxious to round the corner of a house, which stands out, obstructing the footpath, and are desirous of taking two or three feet off the corner, which would greatly facilitate the traffic; it is a very small affair, yet it is within the knowledge of the local authorities, and they generally apply to us for a contribution to such improvements, and though those improvements are in themselves but small, they contribute very much to the comfort and convenience of the traffic.

856. And before any of those small improvements are carried into effect they are examined into by your officers?—Yes; the architect examines on the spot, and reports as to the correctness of the plan, and the propriety of carrying out the improvement in question.

857. Upon the whole, are the Committee to understand that you are satisfied with the provision as to the local authority applying to the Metropolitan Board of Works?—Yes. Those local improvements, comparatively speaking, are of small amount, but I do not think that any metropolitan money is better expended than upon those improvements.

858. Mr. *Kekewich.*] In a paper which you have given in, there is an item of 30,000*l.*, I think, for the Fire Brigade; is that clear expenditure, or is there any return for it?—It is the clear net expenditure for this year; it came into our hands on the 1st of January of this year, and the 30,000*l.* is for the present year.

859. I was not aware whether the different

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insurance companies repaid any part of the cost?—The actual cost of the Fire Brigade for this year we take to be about 50,000 *l.*; 10,000 *l.* will be contributed out of the Consolidated Fund for the protection afforded to Government in the metropolis, and 10,000 *l.* or 11,000 *l.* will be contributed by insurance offices, therefore reducing the net cost to about 30,000 *l.*, which we have to raise by a charge upon the rates.

860. Then, the insurance companies do repay you, and the Government repay you?—They contribute.

861. Making the whole net expenditure about 30,000 *l.* a year?—Yes; we shall have to raise 30,000 *l.* on the rates.

862. Sir *Matthew White Ridley.*] As regards the requisitions which are made to you by local authorities for a contribution towards local improvements, do you find that there is much increase in the number of those applications, or is it otherwise; are the applications which are made to you generally of a fair and legitimate nature, and not created by the system of the Metropolitan Board being in the habit of contributing more or less to those requirements when laid before them; has the system which has been in operation given any stimulus to these applications?—I think not. The applications generally have been made by the local authorities, who have to contribute two-thirds of the fund necessary to carry out the improvement; and we have had no reason at all to complain as to the application, because it is a sufficient earnest to us that the improvement is, to say the least of it, of great local value, to induce the local authorities to pay two-thirds of the cost.

863. Then I may infer that, in the main, you consider them legitimate applications, and not applications which have been made simply from the fact being known that the improvement might be effected, securing the assistance of the Metropolitan Board to the extent of one-third?—I think that probably that may weigh with the local authorities in dealing with the local improvement; they hope that the Board may contribute one-third of the cost; but I think that the applications generally are sound, and are made in the public interest.

864. Mr. *Bazley.*] In reference to the pulling down of the building in Chancery-lane, and the re-building of another house, are you aware that in Paris such a building could not have been reinstated without the consent of the authorities, a law existing there which allows no owner to re-erect a building without offering the whole site to the authorities, on pulling down the original building?—Yes, upon paying compensation; and it is so in the City of London. When a house is burned down or pulled down, on a certain site, they have the power of going in and saying that that house shall not be rebuilt without setting it back.

865. But you have no such power?—We have no such power.

866. Mr. Alderman *Lawrence.*] The Fire Brigade has been alluded to; 30,000 *l.* I believe involves a rate of ½ *d.* in the pound?—Yes.

867. That ½ *d.* in the pound is a charge upon the occupiers for the benefit of the fire insurance companies, who before took that charge upon themselves?—No doubt, the more efficient the Metropolitan Fire Brigade becomes the greater the protection to the property of the metropolis, and the less the liability of the insurance offices with regard to their policies; but we see clearly enough that an increased protection, or a general lessening of liability, may have a tendency to reduce the rates of insurance ultimately.

868. The insurance of residential-houses is usually, I believe, paid by the landlords, and not by the occupiers, so that this will be an extra charge thrown upon the occupiers who have never borne this charge before?—I understand that the cost of the Fire Brigade in the case of the associated offices is about 23,000 *l.* a year; they will this year contribute about 11,000 *l.*

869. Mr. *Tite.*] They have given you all their engines?—They have handed over all the plant and property, the offices and stations, and other property of that kind, to the Board; they are under an engagement to contribute about 35 *l.* per million of insurance, and that we apprehend will greatly increase, and especially if the remaining duty on insurance should be removed, it will greatly stimulate insurances, and parties who are now their own insurers may deem it expedient to insure hereafter at 1 *s.* 6 *d.*, while they may refuse to insure their property at 3 *s.* or 3 *s.* 6 *d.* If that should be the result of the removal of the duty on insurance, then the payment to our expenditure will be greatly increased, so that it may be that the insurance offices may have ultimately to pay as large a sum as they have to pay now.

870. Mr. Alderman *Lawrence.*]—The object of my question is to know whether year by year, by means of the Metropolitan Board, fresh taxes are thrown upon the occupiers at rack-rentals which they have never paid before, and which in a certain degree relieve the landlords from charges. As regards this tax of insurance, the occupier at rack-rental has never been called upon to pay it in any form whatever?—I am not able to say to what extent the previous state of things might affect the landlords; it would depend a good deal upon the fact whether a man had or had not insured.

871. Are you not aware that in the case of houses let to tenants-at-will, and to tenants under three years' agreements, the insurance is usually paid by the landlord?—Yes.

872. And that this halfpenny rate will now be paid by such tenants?—Yes; but supposing the landlord continues to pay the insurance as heretofore, how is his position altered? he will pay his 10 *l.* for insuring houses of the description which you have referred to; he will continue to pay, and if the property is burnt down, he will have his compensation. How does the additional charge upon the occupier affect the relative position of landlord and tenant, except so far as you are increasing the charge upon the occupier?

873. The tenant under the present system will be called upon for something for the insurance of his premises which he has never paid before, will he not?—No doubt he will have to pay his charge to the extent of that levied for the Fire Brigade.

874. The charge for the main drainage, I think you have stated, is assessed upon the basis of the county rate?—Yes.

875. Are you aware whether the palaces, the parks, the Government offices, or the public buildings are in any way rated to the county rate?—They are not.

876. Do you get from those buildings any contribution in the shape of a rate towards the main drainage?—No.

877. The palaces and Government offices, I suppose

pose, formerly had cesspools?—I have no doubt they were subject to the same rule.

878. They could not formerly drain into the Thames?—No, they must necessarily have had cesspools.

879. Therefore your works took off that drainage?—Yes, and greatly benefited that property.

880. Therefore that property has gained at the expense of the general inhabitants of the metropolis?—It is so.

881. I believe that formerly the sewer rates were kept in different accounts, for the various levels of the metropolis, different levels paying different rates according as they were benefited?—Yes.

882. And that, sometime after the incorporation of your Board, there being a great difficulty in apportioning the debts, and the rates, and various matters, it was thrown into one general rate over the whole of the metropolis?—It was so.

883. By means of that the lower level districts were more benefited than the districts at the higher level?—It may be so.

884. The large district of Belgravia, and a great portion of Westminster, where most of the palaces and public buildings are situated, which is on the lower level, will cost a greater constant expense in draining than any other district of the metropolis, in consequence of requiring every portion of the drainage to be twice pumped before it finds its way into the sea?—That is so, undoubtedly, but having regard to the local and general sanitary improvement of the metropolis, although it is a consequence which will necessarily follow, still, you must couple it with another fact which is equally true, namely, that the higher districts are sending their sewage and other filth into the lower districts, and therefore the lower districts would have a *locus standi* as respects protecting themselves from the higher levels. Therefore it is not an absolute special charge in respect of the lower districts, but the metropolis, as a metropolis, is under the obligation to relieve the lower districts from the result of the drainage of the higher.

885. But none of the higher drainage will come into the lower district, will it?—Yes, to a certain extent; from the point of interception it must necessarily flow to a lower point.

886. The district of Belgravia, and the districts surrounding it, are, I believe, much lower rated to the general rates of the metropolis than most of the other districts?—I believe that that is so, and you must take St. George's, Hanover-square; I believe that that is the lowest rated parish in the metropolis; I believe that the rate is 2 *s.* 8 *d.* in the pound.

887. And any equalization of rates would bring a larger rate upon that district?—Undoubtedly.

888. But the equalization of the main drainage rate has been a great benefit to that district?—I do not know what the honourable Member means by the equalization of the main drainage rate; that is a tax in common upon the whole metropolis.

889. *Chairman.*] If the drainage of the low district, which is served by the lower main drainage, had been charged separately upon that district, would it have produced a higher rate in the pound than if it had been thrown into a general rate?—It would be so; but having regard to the cost of the sewers to be constructed in the low district, that is dependent upon the body of water to be dealt with, and that is due from the upper districts, so that in fact you must give a capacity to your sewers in the lower district far beyond what might be necessary for local requirements, and therefore it is unfair to tax that lower district with the whole cost.

890. Mr. Alderman *Lawrence.*] To come back to the point of equalization, when the different levels were thrown together and one general rate was cast over the metropolis, was not it an equalization of the drainage rate, making one rate for the whole metropolis?—No doubt.

891. If there had been an equalization of the poor rate, or of the other rates of the metropolis, would not it have involved a much larger charge upon the Belgravian district?—No doubt; if that is the district which is paying the smallest amount to parochial Boards, a redistribution and equalization must necessarily increase the charge to that parish which is now paying the smallest sum.

892. Then the equalization of the sewers rate through the main drainage has been a great benefit to this lower district?—That is dependent upon a variety of circumstances. If, for example, this lower district had been called upon to pay the cost of the main sewers which have been constructed within its area, it would have been a very heavy charge locally, or upon the level. Then, as I stated before, it would have been unjust to charge the whole cost of that work upon the lower district by reason of its doing duty for the upper.

893. But will not there be a constant extra expense in conveying the sewage of that district, in consequence of its requiring to be twice pumped?—As respects the water of the lower district undoubtedly there will.

894. Have you ever attempted to obtain any contributions from Her Majesty's Government, in consequence of the drainage which has been carried out for these public buildings?—No.

895. Do you not think that it is an unfair charge to be thrown upon the general body of the ratepayers of the metropolis, for them to be at the expense of draining these establishments rather than there being a contribution from the Government?—I think that the principle of exemption is bad in all cases, and certainly it is bad that any property benefited in London by metropolitan expenditure should be exempt from taxation, whether it be Government property or any other property.

896. Have you estimated at all what you will have to pay in the metropolitan district, in consequence of the Cattle Plague Bill?—We are unable at this moment to judge of the ultimate charge.

897. That charge is thrown upon the occupiers in the same way as the Fire Brigade?—Yes.

898. *Chairman.*] Is it not to be paid half by the occupant and half by the owner of the property?—Yes.

899. Mr. Alderman *Lawrence.*] Does the occupier deduct one-half from his landlord?—Yes.

900. Mr. *Tite.*] Have you any reason to believe, or otherwise, that if a fair improvement rate, affecting property in the way which you have suggested in the earlier part of your evidence, was established, the Government would be willing to make the Government buildings contribute in like manner to other buildings?—I am unable to say what course the Government would

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would take, but I have a very strong conviction that if such a principle were adopted the starting point must be to include Government property.

901. With regard to the list of improvements which at the earliest stage of the constitution of your Board was issued, having been made by your architect, do you happen to have it at hand?—I have sent for it.

902. Were those estimates of schemes accompanied by a plan or otherwise?—A general plan.

903. But not condescending upon anything in particular?—No, it was simply taking the metropolis as a whole, having regard to the relief of the districts now pressed, and what would be the best mode of giving such relief, and the probable cost.

904. Some of those improvements which are now being carried out, or proposed to be carried out, are in that schedule?—Yes.

905. Park-lane is one?—Yes, that is one.

906. The widening of Holborn is another?—That is another.

907. And raising the level of Holborn?—That is another.

908. And there is the widening of Newgate-street?—Yes.

909. So far as you know, the metropolis was carefully mapped at that time, and all the information or intelligence upon the various questions which the district boards could bring to bear upon the general question of improvements, was carefully considered, and carefully estimated, made a matter of record?—That is so.

910. And as far as the Metropolitan Board are able to do it, they endeavour gradually, and as their means will permit them, to carry out those improvements?—Yes; first selecting the most pressing cases.

911. I apprehend that you believe that the City have some compulsory power in their hands in the case of public improvements, and I presume that that is the real difference between you and them. The City have advantages of that kind, which the Metropolitan Board of Works have not?—Just so.

912. The vestries also have had some power of compulsory interference?—We have power in the case of fire to call upon the parties under the Amendment Act of 1862 to set back the building, and in two or three instances we have carried that out; in one case in Chelsea, and in another in Islington.

913. But with regard to the local improvements suggested by the vestries or district boards, you rather wait for the vestries or district boards to apply for a reasonable contribution, and you are loth to interfere with their action, thinking that they are the best judges of what they want, and that their earnestness is best shown by their willingness to contribute towards the expense?—That is so.

914. Mr. Alderman *Lawrence.*] I believe that the drainage of the low level sewer extends down as far as Bow?—Yes.

915. Beyond the river Lea where there are numerous manufactories and a large population, the whole of that sewage goes into the Thames, and will still go into the Thames, notwithstanding the main drainage works?—Yes; that is external to our area.

916. That is a constantly increasing amount. Supposing that those districts were to make an arrangement to pump their sewage into your drainage, have you any power to tax that neighbourhood, or to permit them to do so by arrangement?—I think not.

917. *Chairman.*] Would you not be able, if they asked to be allowed to drain into your main drain, to impose any condition upon their doing so?—I suppose that we could enter into a private arrangement, but I understood the question of the honourable Member to be, whether the Board had any statutory power to deal with the matter.

918. Mr. Alderman *Lawrence.*] Upon the question as to the tax on cabs, I think you stated that you thought that it would be fair that the cabs should pay a tax, as they use the public streets. If such be the case, do you not think that it would be equally fair to put a tax upon carriages, and vans, and waggons, and other conveyances?—What I stated was, that supposing that the imperial demand were taken off cabs, it might become a question whether the taxation of cabs would not be a fair tax for municipal purposes, as is the case in many of our provincial towns.

919. Do you think that there is any reason why a municipality should put a tax upon the cabs, and not upon the waggons or other vehicles?—There is a distinction between the one and the other.

920. *Chairman.*] I presume that you would draw a distinction between a tax upon cabs sufficient to pay the expenses of their supervision, and a tax for the purposes of the revenue?—Certainly.

921. Lord *John Manners.*] The distinction in your mind is, that the one only plies for hire, and the other for pleasure or amusement?—Quite so.

922. With respect to what has been said upon the rating of Government buildings, is it the fact that Government buildings every year propose a vote to Parliament in lieu of rating?—I think that that is confined to the poor's rate; I do not remember any case where the Government have contributed towards the municipal charge, other than the poor's rate.

923. But I understand you to say that the principle being conceded as to the poor's rate, you apprehend that the Government might not have a great objection to carry it further?—I think that the principle of exempting Government property from taxation is bad, and is oppressive. I think that all property alike, which is benefited by municipal expenditure, should bear its full share of the burthen. I think that the exemption of Government property is oppressive, because in many cases you have an accumulation of Government property in a district which contributes nothing to the municipal burthen, but in some cases becomes a charge upon the district. You have, for example, St. Nicholas, Deptford; you have there a rating of something like 9 *s.* 2 *d.* in the pound. I believe that that is mainly due to the fact that a very large area of that parish is occupied by Government property which contributes nothing. A large part of the parish is covered by small houses, which is necessarily a burthen, on account of the greater number of poor; and the charge, therefore, being limited to a small area, the result is this heavy taxation. It is stated, in answer to that principle, that if you charge Government property you are charging with one hand and receiving with the other. That is not so, unless the principle were sound that all Government property

perty was equally spread; but it is locally situate, and therefore the places where Government property is so situated are punished, and places where there is no Government property at all are contributing nothing towards their relief. Therefore, I think that the principle of exemption is bad, and that it ought to be remedied for all purposes.

924. The exemption at Deptford, I think, includes the poor's rates?—Yes.

925. But do you know that the Government now do contribute something to the poor's rates in districts where Government buildings are situate?—I see that in St. Nicholas, Deptford, the tax has been as high as 12 *s.* or 14 *s.*, and that the last return, which would be since the contribution of the Government, was 9 *s.* 2 *d.*

926. It is hardly correct to say that the Government contribute nothing to the local charges?—I am speaking of local charges other than the poor's rate; there are a great many charges.

927. Mr. *Mill.*] Are you aware that by the French law, national property, and Crown property especially, of all sorts, is exempt from taxation to the national account, but is subject to all local taxation?—I so understand it.

928. Do you not think that that is a just distinction?—I think that it is; if that property were not so exempted, it would be merely receiving with one hand and paying with the other.

929. Mr. *Sandford.*] You have been asked whether Belgravia is not lower rated than some other districts?—I was speaking of St. George's, Hanover-square.

930. Did you mean that to apply to Belgravia generally, or only to St. George's, Hanover-square?—My answer applied to St. George's, Hanover-square.

931. When you said that it was lower rated, I presume you simply meant that it paid lower rates?—Yes.

932. The observation may mean that the basis of rating there is lower than elsewhere; did you mean that also?—No, I did not include that in my answer. My answer had reference to the return which I made the other day, that it was assessed at 2 *s.* 8 *d.* as compared with other parishes. It is a second question whether it is fairly rated.

933. Lower rates are very often the consequence of good government, are they not?—Some are the result of good property.

934. Is it not often the result of good management?—I would rather attribute it to the other cause.

935. But it may be attributable to the cause which I have mentioned?—No doubt, good management will contribute to it; good management would necessarily, I apprehend, result in economy.

936. Mr. *Tite.*] With regard to Chelsea, a good deal of the property of Belgravia, such as Lowndes-square, is in Chelsea, but you have said before that Chelsea is highly rated, namely, 5 *s.* upon the rack rent, and therefore your remarks as to Belgravia do not apply?—Just so; in answer to the question of the honourable Member for Southwark, I have a plan which shows that the Board has directed its attention to the several improvements, and they are indicated by the red line upon this plan.

937. *Chairman.*] When was that plan made?—In 1859. Some of those improvements have been carried out, others are in the course of completion, and some are the improvements which the Board are applying to Parliament for the purpose of carrying out. Passing over the main drainage, the new streets in Southwark, and in Covent Garden, the formation of Finsbury Park, and the covering over of the main sewers, there are a variety of improvements indicated in this list. The new street to the Mansion House is also one which we are carrying out, and the new street from Bow-street and Long Acre to Cheapside, which street would cost about 1,700,000 *l.* There was a branch from Wellington-street to Carey-street, which would cost 390,000 *l.*; there was also the formation of a new street through Gate-street to Southampton-row, Russell-square, which would cost 321,000 *l.* Some of the improvements have been carried out. This is a letter addressed by me to the Representatives of the metropolis in Parliament, on the 18th of April 1859. I am sorry to say I had not much response to that communication.—(*The Witness delivered in the same.* Vide *Appendix.*)—With the permission of the Committee, I am anxious to put in a calculation of the value of the coal duties if extended for two, three, four, five, six, seven, eight, nine, or ten years, in order that the Committee may have the information before it.

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938. That is to say if the coal dues continue beyond the present period?—Yes; they have now 16¾ years to run.

The Witness delivered in the following Paper:—

METROPOLITAN BOARD of WORKS.

Approximate present Value of Coal Dues, for extended periods of 2, 3, 4, 5, 6, 7, 8, 9, and 10 years beyond their present continuance, say, 6th July 1882. Income at present rate of 187,000 *l.* per annum.

	£.
2 years - - -	196,593
3 ,, - - -	289,606
4 ,, - - -	379,262
5 ,, - - -	465,693
6 ,, - - -	549,020
7 ,, - - -	629,336
8 ,, - - -	706,754
9 ,, - - -	780,885
10 ,, - - -	853,023

Edward Hughes,
Accountant.

Spring Gardens,
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I might state that the Board in applying to Parliament for power to carry out the three improvements, the approaches to the Thames Embankment north, the widening of Park Lane, and the formation of an embankment and roadway at Chelsea, did so on the distinct understanding either that the coal dues should be sufficiently extended to enable them to carry out these works, or that some other means should be given to the Board, by which they might carry out those works, and that in point of fact we do not feel ourselves in a position to carry out these improvements, with our present powers, which are, practically, simply a sewers rate on the occupiers; and that, however deeply we may regret it, we shall have to withdraw those Bills unless funds are placed at our disposal. I say this not only as the opinion of the Board at this moment, but before we served notices in the autumn of last year, we came to that resolution, so that I should be sorry that the Committee should be misled

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misled under the impression that, though we should not have additional funds placed at our disposal, we should still carry out those improvements; those three improvements certainly must be postponed for a very long period, unless we are placed in funds.

939. It is the opinion of your Board that you should not increase your general purposes rate for the object of carrying out those improvements?—Certainly.

940. But that if no arrangement is made for carrying out those improvements, so that they should not be chargeable upon the occupiers you would postpone carrying them out?—Yes.

941. Have you made any calculation of the probable amount of the coal tax supposing that it increases from the present time to its termination, at the same rate as it has increased hitherto?—No, I have rather taken the present sum, 180,000 *l.*, as the basis of my calculation.

942. Do you know the ratio in which it has increased since it has been paid into the Treasury?—It has increased very much; I believe that at the time when the last calculation was made it was about 162,000 *l.*, it is now 180,000 *l.*; we have taken it at 180,000 *l.* its present value.

943. But you have not made any allowance for its future increase?—No.

944. Mr. *Bazley.*] When was the last extension granted?—In 1862, I think.

945. Lord *John Manners.*] You say that the Board are not prepared to go on with these improvements unless Parliament will supply them with some other means; do you mean other than the funds derived from local rates?—Yes, at present our powers, as your Lordship is aware, are confined to a sewers' rate, and that sewers' rate is applied for all purposes, not simply for sewers, but for surface improvements. The formation of parks and the widening of streets are matters foreign to the mere construction of sewers, and it practically becomes a charge upon the occupier, in consequence of the landlords calling upon their tenants to pay the sewers' rate, and we think that that is oppressive. It is oppressive upon a certain class of occupiers, and a very large class in the metropolis who are now taxed to a very large extent, and any addition to the present taxing powers in that direction would be oppressive. But the whole system of taxation in the metropolis requires revision, and unless we have some other mode than that which we now possess, namely the sewers' rate, we do not see our way to carrying out these improvements. It has been suggested to us that if the coal dues were extended for ten years we could carry out these three improvements at once.

946. When you approve of the coal dues, you speak, not only for yourself, but for the Board of which you are chairman?—Yes, certainly.

947. Mr. Alderman *Lawrence.*] Are you aware that various improvements were carried out in the metropolis outside the limits of the City of London, by the Government Board of Works, out of means furnished by the coal tax?—Yes, exclusively.

948. Such as New Oxford-street, the continuation of Bow-street into Holborn, the opening of Leicester-square to Long Acre and to Piccadilly, the improvements to St. Martin's-lane, the improvement of Commercial-street, Whitechapel, and various other matters which were carried out by the Government Board of Works, out of money obtained from the coal tax, before the establishment of your Board?—That is so.

949. *Chairman.*] Do your Board propose to apply any part of the coal dues for the benefit of Uxbridge, and the other towns within the limits where the coal tax is levied?—No.

950. Do they propose to give a portion of the proceeds to the area which is rated?—No.

951. Do they think it reasonable that Uxbridge and other towns, should have a contribution levied upon them, to improve the thoroughfares of the metropolis?—Yes, for the improvement of the metropolis generally, they do; these towns are benefited, and the value of property there is greatly increased by the improvement of the metropolis.

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952. *Chairman.*] You are the Chairman of the Holborn Valley Improvement Committee?—I am chairman of what is called the Improvement Committee of the Corporation of London.—Improvements which the City contemplate would be referred to that committee.

953. You are a member of the Common Council of the City of London?—I am.

954. Has that committee the duty of superintending all improvements in the City, or only the particular improvement of Holborn Valley?—All large improvements would be referred to that committee. The Holborn Valley Improvement is a large question.

955. Will you be good enough to state when the Corporation of London undertook that improvement?—The Act was passed in the year 1864.

956. What Act was that?—The Holborn Valley Improvement Act.

957. Previously to 1864 had the Corporation charge of any improvements in that neighbourhood?—The last improvement, as a large improvement previous to this, was the new Cannon-street Improvement.

958. I mean had they the charge of any improvements at Holborn Valley?—None.

959. Is this Holborn Valley Improvement entirely distinct and separate from the Clerkenwell Improvement?—Quite so.

960. Is the Holborn Valley Improvement the only improvement which is charged on the coal tax which is collected by the Corporation?—Yes, at the present time.

961. Will you state the estimated cost of the improvement which the Corporation undertook?—The gross Parliamentary estimate of the improvement was 1,106,000 *l.* That involved a viaduct proper, and two side streets on the northern side of the viaduct. I have a plan here if the Committee would like to see it. (*The Witness produced the same.*) It involved all that is coloured brown in this plan.

962. What steps have the Corporation taken to carry out this improvement?—We have acquired a large amount of property, several of the houses are taken down, and we hope in another fortnight to go to public tender for the execution of the viaduct proper.

963. How

963. How much money have the Corporation expended up to the present time?—335,250 *l.*

964. Has that been sufficient for the acquisition of all the property, or does anything remain to be paid?—This does not represent the northern side of the viaduct. At the present time, we have only dealt with part of the southern side of the viaduct.

965. What is the estimated charge for the rest of the property?—From the best authority which we can consult on a matter of this sort, it is considered that we shall require 250,000 *l.* more than the Parliamentary Estimate; and that arises from two causes. The first is the enormously increased value of property; in dealing with property near the City of London, and in some parts in the City of London, we have to pay enormous sums of money for the acquisition of the property; and in the second place, from the increase in the value of labour and materials. We are given to understand that our contracts will be very considerably higher than was contemplated when these Parliamentary Estimates were framed.

966. Can you tell me how the estimate of 1,106,000 *l.* was made up; how much was for works, and how much was for the acquisition of the property?—The gross cost for the acquisition of the property between Hatton Garden and St. Sepulchre's Church, and also of property required for the formation of the two new streets to which I have already referred, amounts to 900,340 *l.* The cost of the formation of the viaduct and bridges, and of raising the surfaces, and various other matters, amounts to 71,232 *l.* In the widening of Shoe Lane, the gross amount for the acquisition of the property in that improvement was 127,938 *l.*, and the formation of the viaduct, and incidental works, was 6,500 *l.* I think that those sums put together will make the gross total of the Parliamentary Estimate of 1,106,000 *l.*

967. Is that after deducting all the re-sales?—No; that is the gross estimate.

968. That is without an allowance for what you might afterwards obtain by the re-sale of property?—Yes.

969. Are we to understand that, in addition to what you have spent for the purchase of property for the one improvement, you will require a sum greater than that which was originally estimated?—Considerably greater.

970. Can you state how much more?—£. 250,000 was the estimate given to us, taking into consideration the circumstances which have occurred, and the incidental charges which were never included in the Parliamentary Estimate, it was thought that we should require 250,000 *l.* over the Parliamentary Estimate. Then having regard to the fact that the works were said to amount to 77,000 *l.* odd; from the experience which we have already had, I am afraid we must put on nearly 25 per cent. on the works.

971. On what ground?—From the great increase in the price of materials, and also in the price of labour since this estimate was formed nearly three years ago. You are aware that the labour market is in a very unsettled state, and we must quite prepare ourselves, when the tenders come in, for a very large increase over the estimated cost.

972. But the actual amount of the increase would not in any event be above 20,000 *l.* on the works?—On that particular item.

973. Have you made any estimate for the re-sales of this property?—Yes; the Parliamentary Estimate credited estimated returns on the viaduct proper of 564,359 *l.*, and the estimated returns on the Shoe Lane improvement amount to 58,455 *l.*

974. That would amount together to 622,814 *l.*?—Yes; when I gave you the gross estimated cost of 1,106,000 *l.* we estimated that the net cost would amount to 483,196 *l.*?

975. In your Parliamentary Estimate what was your estimate of the return of the property?—I have the gross estimate as 1,106,000 *l.*, and the return on the viaduct proper is 564,359 *l.*, and on Shoe Lane 58,455 *l.*

976. That was your Parliamentary Estimate?—Yes.

977. What have you added for the re-sale of the property in consequence of the rise in value?—We have taken the additions that if we supplemented our Parliamentary Estimate by 250,000 *l.* as the gross cost, it would bring up the gross estimate to 1,356,000 *l.*, and the estimate of the net cost would be 586,000 *l.*

978. How much would there be in addition for your returns on shops from the rise in value?—That was taken into consideration when this estimate was framed. In making the estimated returns the amount was taken on the principle that inasmuch as the cost of the acquisition of the property would be greater, therefore the returns would also be greater, which brings the total of the figures to what I have stated. The difference would be between the estimated cost of 1,106,000 *l.* and 1,356,000 *l.*, and the difference would be as the difference between 586,000 *l.* and 483,196 *l.*, taking into account the returns.

979. In other words, there would be an addition of 103,000 *l.* in the net cost?—Yes.

980. In estimating the return to you, you have not made allowance for the enhanced value, in your opinion, in consequence of all the railways coming to this particular spot?—I think that there is a difference of opinion as to whether the railways coming there would enhance the value of the property or not. I think that there is an opinion that perhaps it might have the other effect.

981. But you have not made any allowance for that?—With regard to the improved estimate that was not allowed; as we found that it would cost us more to acquire the property, we thought that it was only fair that in deducting what would recoup ourselves, we might put still more for that; and, therefore, the improved estimate was based upon that principle.

982. That is to say, that you put rather a larger estimate on the re-sales than upon the purchases?—Yes; larger than was established upon the Parliamentary Estimate.

983. Upon what principle did you increase the per-centage on your re-sales?—On the principle that if the property is increased in value for purchase, it will be also increased for re-sale.

984. But why in a greater ratio?—It was considered at that time that, inasmuch as the property was increasing in value, perhaps, by the time when we might have it to dispose of, we might get rather a better price for it, and it was thought to be fair that we should put a rather increased price for the re-sale. It was not, perhaps, to any great extent, but still the principle was recognised, and to some extent acted upon.

985. Mr. *Mill.*] It was calculated upon a continuously progressive rise in the value of the property

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property?—It has been so up to the present time; where it is to stop, of course I cannot say.

986. *Chairman.*] Are you contemplating any other works which you do not charge upon the coal tax?—Yes, I should say that we have always considered that the Holborn Valley plan was not complete, inasmuch as we have no means of access from the southern side of the viaduct, from the low level up to the high level, except going underneath at the bridge, and turning either right or left, and coming back again.

987. The traffic will have to go down to the lower level on the northern side of the embankment, and then return under the viaduct?—Yes; all the traffic from the south must come to the north before it can reach to the high level.

988. Therefore, do you wish to make a street on the southern side from the high to the low level?—Yes, on both sides, so as to run west and east.

989. Have you taken any steps to carry out this view?—We took permissive powers in the Act of Parliament of the London, Chatham, and Dover Railway Company to widen Fleet-lane, but those powers are not exactly what we should like to use, because it does not answer the purpose which we should desire; it brings Fleet-lane into a very narrow part of the Old Bailey, at a very narrow angle, and we wish to obtain Parliamentary powers to widen Fleet-lane, and bring it to the wide part of the Old Bailey, whereby we shall obtain a very much better gradient.

990. Are you making an application to Parliament in this Session?—No.

991. At present you are not making any application to Parliament for these southern approaches?—No.

992. But it is the wish of the Corporation to make that application?—Yes, and they think that it will be very incomplete without that, but we want funds, and without an extension of the coal duty we do not know where to look for funds; and therefore that improvement must be abandoned.

993. Have you made any estimate of the cost of those improvements?—Yes; taking the two streets on the southern side, the first being from Farringdon-street to Bartlett's-buildings, the gross estimate of that street was 165,000 *l.*; then of the second street from Farringdon-street to the Old Bailey it was 110,000 *l.* There is another improvement, namely, the widening of King-street which leads to the dead meat market, which we consider exceedingly important in order to complete the improvement, and the estimate of that is 171,025 *l.* Then I have down here the widening of Newgate-street; it must be done by somebody, for it would be very unsightly to have a viaduct, and a noble street of 80 feet wide, to join Newgate-street, which is less in width, and we are exceedingly anxious to widen the western end of Newgate-street; a great part of it has been done by the Commissioners of Sewers: but we have thought it desirable to make the scheme complete by widening the western end of Newgate-street so as to have a wider thoroughfare from the new street, which is to be 80 feet wide.

994. Newgate-street has been widened in parts?—Yes.

995. And your scheme is to pull down the street altogether, and widen it?—No, to widen the western end.

996. Have you an estimate for that?—Yes; for the widening of Newgate-street, the estimate is 101,183 *l.* the gross total on those improvements amounts to 547,208 *l.*

997. What have you estimated for the re-sales on those improvements?—I have the figures down; there are no totals. The 1,356,000 *l.* to which I have referred is the estimate of the viaduct proper, and the two streets on the northern side.

998. Can you give the Committee the total of the contemplated improvements?—£. 547,208.

999. What would be the returns from that expenditure?—The gross estimate is 547,208 *l.*, and the net cost upon those works would be 429,000 *l.*, so that the returns would be about 120,000 *l.*

1000. Can you explain why the returns would be so small in those improvements?—I cannot.

1001. Mr. *Tite.*] That is the return given to you?—Those are the returns furnished to us by the officers of the Corporation who perhaps would be able to go more into detail.

1002. *Chairman.*] Is not that return contrary to your ordinary experience?—This is a larger per-centage than in the works which have been contemplated before.

1003. A return of 120,000 *l.* upon 547,000 *l.*?—Yes.

1004. In your return, in the former case, have you not calculated a return of nearly 50 per cent.?—There would be a consideration there with regard to the locality; there is a difference in the returns in a public thoroughfare, such as a main street, and in these side streets. I should fancy that in the returns in a main thoroughfare such as Holborn, we should do very much better than in the side streets.

1005. Is not the cost very great in a main thoroughfare as compared with the side streets?—Yes.

1006. And, therefore, is not the gross charge increased in a main street?—Yes, to a great extent.

1007. But it would seem that in the other improvement sanctioned by Parliament, you would get a return of 50 per cent., while, in this case, you would get a return of 25 per cent.; can you explain that?—I cannot explain it any more than that the figures were given to me, and this second estimate is from experience rather than from the Parliamentary estimate. Our Parliamentary estimates were given three years ago, and the preparations were made upon different circumstances at that time; these estimates have been prepared since, and whether the officer has gained any experience whereby he has been compelled to make a certain difference I am not prepared to say.

1008. Your revised estimate, based upon the experience of the locality, also gives about 50 per cent. of return?—Yes.

1009. Therefore can you explain why the estimated return upon these second improvements is put at so much lower?—I cannot do so at the present moment.

1010. Mr. Alderman *Lawrence.*] Are you alluding to the street from the Old Bailey to Farringdon-street?—I am referring to four distinct streets.

1011. One is from the Old Bailey to Farringdon-street?—Yes.

1012. Which are the other three?—The street from the Old Bailey to Bartlett's Buildings, the widening of King-street, and the widening of the western end of Newgate-street.

1013. All these properties are now, I apprehend,

hend, closely studded with houses, and a large space would be cleared away, and the property which the City would get and relet, would realize large sums?—Yes, and that would make a great difference.

1014. *Chairman.*] You would not consider Newgate-street a bad thoroughfare?—No.

1015. Do you consider that when the dead meat market is established, the thoroughfare from there to Holborn would be a bad thoroughfare?—No.

1016. Would not the street which you propose to the dead meat market make a very grand thoroughfare?—I do not think that it would ever be a very valuable property for trade; it would be very useful for direct traffic.

1017. Would not the streets which you propose to construct from the high to the low level be a very considerable thoroughfare?—No doubt they would be for general traffic, but it does not always occur that where you have the best thoroughfare you have the best locality for trade and commerce.

1018. With regard to the works which have been sanctioned by Parliament, those are already charged upon the 4 *d.* coal tax which is to be levied for a certain period?—Yes.

1019. Parliament has directed that to be applied to works in, and in the neighbourhood of, the City of London?—Yes, primarily for those works, and then for works in and near the City of London as Parliament may direct.

1020. When the original Act under which the coal tax was paid to the Treasury was passed, Parliament directed it to be applied for works in and near the City of London?—Yes.

1021. Since that Act has been passed, are these improvements which you have described as sanctioned by Parliament, the only improvements which have been charged upon that 4 *d.* coal tax?—It is primarily a charge to liquidate the debt upon New Cannon-street.

1022. Is there any other important charge which is imposed upon the 4 *d.* coal tax under that Act?—For the Holborn Valley Improvement, for the viaduct proper, and two streets on the north side, and the widening of Shoe-lane—those are the only things for which we have Parliamentary powers.

1023. And that is the only charge upon the 4 *d.* coal tax?—Yes.

1024. Have you any reason to doubt whether the funds which you have under that Act, would be sufficient to pay that charge?—The funds which we have under that Act would be sufficient to pay the charge, according to the Parliamentary estimate.

1025. Having regard to the increase of the coal tax, have you any doubt whether it will be sufficient to pay the increased charge?—I believe that it will not be sufficient.

1026. Have you made any estimate?—No, not myself. I would rather refer you for those matters of detail, to our official authorities.

1027. You do not propose to give any evidence upon the general matter?—No.

1028. Lord *John Manners.*] Can you form any opinion as to the incidence of the coal tax; in your opinion, is it a tax which should be continued or not?—In my opinion, if you are to have a tax of any kind, it is one of the best taxes which you can have for purposes of improvement.

1029. Mr. *Turner.*] If you consider that this source of revenue will not be sufficient to meet the probable increased cost, have you any plan of how you propose to meet it?—We applied to Her Majesty's Government through Mr. Cowper, for an extension of the coal dues in company with the Metropolitan Board of Works, they wishing the 9 *d.* duty for metropolitan improvements, and we wishing the Government to allow us to mortgage the 4 *d.* coal duty for another ten years, in order to pay the cost of the improvements in which we are now engaged.

1030. Have you received any answer?—No; I believe that it was understood that the matter would be referred to a Committee, that they might gain any information which we might be enabled to give upon that subject.

1031. Mr. *Bazley.*] When do you expect to complete the alteration in which you are now engaged?—Parliament gave us five years to complete it, and we hope to do so within the time.

1032. Mr. Alderman *Lawrence.*] These large improvements in the City of London, which have been carried by means of the coal tax, namely, the new Cannon-street, and various other improvements, I believe, are independent of the improvements of widening streets, clearing others, and so on, which have been carried out not under that tax, but under a direct tax of the inhabitants?—Those improvements have been carried out under the Commissioners of Sewers, who pay that sum out of the consolidated rate, assisted by contributions from the Metropolitan Board of Works.

1033. Therefore a large expense has been thrown upon the inhabitants to effect those improvements where the Commissioners of Sewers are engaged upon works of that sort, and in the last two years the Corporation have, out of the City cash, voted large sums of money to the Commissioners of Sewers to aid and assist them in improving the metropolis, by setting houses back and clearing others, and by various other minor improvements, the City have contributed out of their own cash various sums of money; I am now referring to the City; these are improvements in the City of London?—Yes.

1034. Mr. *Tite.*] Can you tell the Committee the cost of the new Cannon-street improvement, and the credit which has been obtained by the re-sale of the property?—I cannot give you the gross cost, but I can give you the balance which was left to the City to pay; it was 540,000 *l.*

1035. Who can give the gross cost?—The Chamberlain.

1036. It is kept so distinct that it can be obtained?—Yes.

1037. If I understand you correctly, the Parliamentary estimate for the Holborn improvement proper was about 1,000,000 *l.*?—Yes.

1038. You have since, owing to the increase in the value of property, thought that it must be increased to 1,360,000 *l.*, or thereabouts; is it the same scheme?—Yes; that is what we call the Parliamentary scheme.

1039. In addition to that you want to make these streets on the south and the other improvements which you suggest, that also being a gross amount of 547,000 *l.*?—Yes.

1040. Then in truth you would be spending nearly 2,000,000 *l.* in round figures?—£. 1,903,000 is the gross.

1041. What do you believe the credit would be?

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be?—I have it down here that the credit would be 1,000,000 *l.*

1042. Who is responsible for those figures?—The City architect.

1043. It happens that the credit upon the earlier work, the work sanctioned by Parliament, is larger in proportion than the return from that which you seek to superadd?—Yes.

1044. But the result is that you will spend 2,000,000 *l.* and that you will make 1,000,000 *l.*?—Yes.

1045. And the architect can tell us why he thinks so?—Yes.

1046. *Chairman.*] Has your Committee undertaken or had referred to it any other improvement in that neighbourhood?—No.

1047. Do you not superintend what is called the Clerkenwell Improvement?—The Committee have charge of the improvement now.

1048. Is that understood to be a completed work?—It is not a completed work because we are specially charged with selling the surplus lands which we have there, and which would have been sold had we not received notice to purchase from the Metropolitan Railway.

1049. Have you completed your expenditure for that improvement?—Yes.

1050. And you are now only waiting for returns?—Yes.

1051. Can you furnish the Committee with the details of the finance of that improvement?—I would rather that that information should be taken from some other witness. The Corporation took it from the Clerkenwell commissioners, on certain conditions.

1052. They have now carried out the improvement; but they are in possession of a considerable amount of property, which they are about to sell in order to recoup themselves?—Yes.

1053. Are there any other improvements in the city which are incomplete, such as by not having carried out the improvement to the extent of the resale of property?—There are no improvements of that kind; but there is a great necessity for improvements in various spots.

1054. Has the whole of the property in Cannon-street been relet?—Yes.

1055. And the ground-rents resold?—Yes; not entirely so, but to a great extent.

1056. Are there any other improvements of which the ground-rents have not been resold?—I am not aware of any.

1057. Mr. *Tite.*] Has the subject of an improvement rate, which has been discussed a little in public recently, charging a portion of that improvement rate distinctly upon the landlord, at all engaged the attention of your committee, as a means of giving funds?—It has been referred to our committee for investigation; it is a reference from the Common Council to our committee, and we are now considering it; but we have not yet given any definite decision on the matter.

1058. Are you of opinion that the improvements which you desire to make are of a metropolitan character, or of a city character?—A metropolitan character.

1059. And is it your opinion that the cost of them ought to be borne by the whole metropolis?—I think that the whole of the weight should not devolve upon what may be considered resident occupiers.

1060. And therefore any plan which might be arranged for levying an improvement rate upon the metropolis ought to be applied equally to those improvements which you carry out, as to those improvements which the Metropolitan Board of Works carry out?—We think that, if we had an improvement rate for the City of London, we should disburse the proceeds of it for City improvements. I am now referring to the City proper.

1061. You are aware that, if these are metropolitan improvements, they ought to be paid for in the same way as other metropolitan improvements?—I think the City would be ready to pay for general improvements out of an improvement rate; and I think that for any large improvements they might contribute from a particular source. When I speak of metropolitan improvements, I mean improvements from which all derive a certain amount of benefit. The citizens of London, if they were to make an improvement rate for the City proper, would be exceedingly anxious that they should have jurisdiction over and the carrying out of such improvements as they in their wisdom think right and proper.

1062. *Chairman.*] When you speak of them as metropolitan improvements, do you mean that in character they are the same as other metropolitan improvements, which are paid for by the metropolis?—Yes.

1063. And therefore you would expect that these improvements should be paid for by the metropolis, in the same manner as any other improvements?—No; I think that the City would be willing to pay a local rate themselves.

1064. Therefore, you think that there is something in the local character of these improvements which would justify a local contribution from the City?—Yes.

1065. Just in the same way as if you were levying contributions for the improvements in the City?—I am not prepared to say that. If we are to be enabled to compass these enormous improvements, involving such a large expenditure as that to which I have now referred, I think that an improvement rate would rather be for improvements of a more general character for the benefit of the City, viewing it in its general aspect. Any great improvement, such as the Holborn Valley improvement, seems to be taken out of the ordinary category; and supposing an improvement to be made for the general benefit of the City, I think that the citizens of London might be inclined to levy an improvement rate.

1066. Then you would not put those improvements on the general footing of the local improvements of the City, for which you have received one-third from the Metropolitan Board of Works?—We have in many cases received a contribution of one-third. Inasmuch as we have no improvement rate, the contribution which the City has made to these improvements has been out of the City cash. The Metropolitan Board have paid in many cases one-third, and the City have voted a certain sum, no proportionate sum, but a sum towards many of the improvements which have taken place within the last two years.

1067. Having regard to the special local character which ought to attach to these improvements, what do you think would be a fair contribution from the Metropolitan Board as compared with the local board?—I do not think that I can answer the question as to the proportion. I do not know that I am in a position to answer the question. The Metropolitan Board of

of Works have thought that one-third has been in most cases the right sum.

1068. You see no reason to depart from that?—I must confess that I have not given that subject consideration.

1069. Have you any knowledge of the rating within the City parishes?—Only a general knowledge. I have no particular knowledge.

1070. Could you give the Committee any information as to the reduction or increase of rates which has taken place within the City in different parishes?—No.

1071. What are the rates which you levy in the City?—There are the sewers rate, the consolidated rate, main drainage rate, the ward rate, the police rate, and the poor rate. I believe that the poor rate is subject to the Union Assessment Committee.

1072. All the rates which you have mentioned, with the exception of the poor rate, are levied uniformly throughout the City upon the basis of your consolidate rate?—Yes.

1073. In addition to that there is now the poor rate, which is levied as you have described?—Yes, the Union Assessment Committee.

1074. Are you aware whether the union charge has made a great difference in the rating of the City?—I believe that in some cases it has done so.

1075. Do you know at all what was the minimum and what was the maximum of rating in the City before the union assessment?—No.

1076. Mr. *Tite.*] There is a board which is now revising the rating to the poor's rate throughout the whole city?—Yes.

1077. Of which Mr. Whitesides is the chairman?—Yes.

1078. Can Mr. Whitesides give us all the information, and can he refer to how it is now, and how he proposes to leave it?—Yes.

1079. Mr. *Kekewich.*] How is the consolidated rate assessed; upon what valuation; is it upon the valuation of the whole City?—The City values the property as regards the consolidated rate on a general knowledge of its value, and that is being constantly altered. As property increases in value the representatives of the City increase the rating of the property; as, also, if an old house was pulled down and a large house was built in its place, that property would be re-assessed to the ward rates and to the general rates, as well as to the poor rates; the City would not allow property to increase in value without having it re-assessed; but that re-assessment by the ward authorities is different from the re assessment to the poor rate.

1080. Is there any great difference between the assessment for the consolidated rate and the assessment under the union assessment?—I should say not; I cannot say as to the increase at the present moment, because I believe that matter is now in progress; the Commissioners of Sewers take that matter in hand as well as the ward authorities.

1081. *Chairman.*] Are you a Commissioner of Sewers?—Yes.

1082. Do the Commissioners of Sewers appoint a committee to assess the consolidated fund?—I would rather that the officers answered those questions.

1083. Do you wish to add anything to your evidence?—I hope that the Committee will agree with me as to the absolute necessity of our receiving from Parliament a continuance of the coal dues, or rather that we should be allowed to appropriate our 4*d.* coal dues for another period of 10 years, inasmuch as without it our Holborn Valley Improvement will be altogether incomplete, and we should like to make it a perfect and complete affair if we possibly can. We think that the mode of access from the south is exceedingly incomplete, and that unless we can provide for an access from the low level to the upper, by means of such streets as I have now mentioned to the Committee, the access will not be such a one as the public requirements would demand. Parties living in Farringdon-street are exceedingly anxious that we should make these new streets; we have had several deputations from them on the subject. With regard to other public improvements, when I saw Mr. Cowper I placed before him, as a kind of general question, the widening of the Poultry. Then there is the widening of Walbrook. When the Cannon-street terminus is opened it is difficult to know how that traffic will be diffused; all the streets from Lombard-street to Cannon-street are merely lanes; only one vehicle can travel at a time, and all traffic going northwards must find its way as it can; and our Committee seem to think that that would be a very great improvement; but the Committee cannot compass it without funds being furnished for the purpose.

1084. Are you aware that the Corporation submitted to the Committee a plan for widening Walbrook, instead of making an oblique street, and that the Committee decided against it?—I myself am of opinion that an oblique street there would be far preferable to the widening of Walbrook; I think that all streets coming out at right angles are objectionable if they can be avoided; when we have these oblique streets they run more with the current of the traffic, and do not bring about the stoppages which may otherwise arise.

1085. We understand you, that the purpose of the Corporation is limited to these improvements, the net cost of which would be about 425,000 *l.* in addition to what is allowed by Parliament?—Yes. What the Corporation say is, inasmuch as they have appropriated every farthing of the 4*d.* coal dues to public improvements, Parliament should assist us in giving us facilities for borrowing money upon them; that inasmuch as we have appropriated our 4*d.* coal due first of all to the payment of the debt upon New Cannon-street, amounting to 540,000 *l.*, to make our contemplated improvements complete, we should be allowed to appropriate that coal due for another 10 years.

1086. When the coal dues were appropriated, it was by a public Act?—Yes, but with the concurrence of the City.

1087. Are you aware that that Act was passed with the concurrence of a Committee of this House, which made a Report upon that subject?—I am aware that the Corporation were willing at once to devote that 4*d.* coal due for public improvements.

1088. But are you aware that there was a difference of opinion as to whether it belonged to the City at all?—I am aware that there is a difference of opinion upon that subject; but my argument is, that inasmuch as the City have consented to this 4*d.* coal due being appropriated to this object, it would not be too much to ask for its appropriation for another 10 years.

1089. Did not Parliament appropriate that 4*d.* coal

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4 *d.* coal due for improvements, not only in the City, but beyond the City?—I believe that the City willingly consented; they did not throw the slightest obstacle in the way, but were willing to assent to the principle that the whole of the 4 *d.* coal due should be devoted to that object.

1090. Are you not aware that that was done in the House of Commons without the City being asked to assent to it?—I am not at all aware of that.

1091. Are you not aware that when the clause in the Act relating to the 4 *d.* coal due was altered the assent of the City was not asked?—I am not aware of that.

1092. You seem to state, as a matter of fact, that the City did this, but are you aware that the City were not consulted about it, but that it was done by the House of Commons without asking the opinion of the City upon the subject?—I said that the City were quite willing to devote the whole of the 4 *d.* coal duty for the purposes of public improvements.

1093. Still, do you know or not that the House of Commons appropriated that 4 *d.* coal duty in the manner in which it appears in the Act without the city being consulted upon the subject?—I am not aware of that.

1094. Mr. Alderman *Lawrence.*] You are not at all aware of the arrangements which took place previous to that Act of Parliament being passed?—I am not aware of the direct arrangements, but I am aware that it was matter of consultation and arrangement in the City, and that it was understood that the City consented to the whole of the 4 *d.* coal duty being appropriated for the purposes of public improvements.

1095. *Chairman.*] Are you aware whether there are any records in the City which will show whether you consented to it or acquiesced in it, or were asked to acquiesce in it?—No; I am merely aware of the general fact.

1096. Will you be good enough to inquire whether there are any records in the Corporation which will show that you were either asked for your opinion or gave your opinion previously to that clause being inserted in the Act?—What I am now referring to is to the appropriation of the 4 *d.* coal duty to be devoted to works of public improvement. The City look at the 4 *d.* coal duty as their property. It originally formed a part of the City's cash; and although before this time they devoted large sums for public improvements, still it was rather by direct resolution than otherwise, but since then Parliament has stepped in, and the City said, "We will allow Parliament to appropriate the 4 *d.* coal duty upon public works for 20 years."

1097. That was the claim which the City formerly made?—Yes, and it was understood by the City to be right.

1098. Parliament by a public Act appropriating it to purposes within the City, or beyond the City, did it or did it not recognize the right of the City to consider it a part of their public cash?—I think that Parliament has not yet dealt with that question.

1099. Mr. *Tite.*] You are chairman of one of the City committees?—Yes.

1100. Are you therefore the chairman for a certain term of years?—The practice is to elect a different chairman each year; but I have now been chairman of this committee for three years.

1101. You have been re-elected?—Yes.

1102. Owing probably to the large improvements of which you have had the control?—It is considered desirable that any gentleman selected to have those large public works under his control should be re-elected till the work is complete.

1103. With regard to the understanding or claim of the Corporation of London, I presume that the remembrancer or the solicitor would be the proper officer to answer that question?—Just so.

1104. *Chairman.*] Do you wish to add anything to what you have already stated?—I wish to explain one thing with regard to the Holborn Valley Improvement; it was a matter of inquiry how it was that the returns in our fresh estimates were so considerably out of proportion as compared with the net cost in the Parliamentary estimate. The explanation is that with regard to the viaduct proper we devote very little to the public roads; but with regard to the widening of King-street, and the widening of Newgate-street, and forming those other streets, we have to purchase a great deal of property and devote it to public use, from which we make no return, and therefore our gross returns will not be so great as in making the viaduct proper; that is an explanation which did not occur to me at the particular moment which it should have done; but that is the explanation of how the particular figures do not correspond.

1105. The quantity of land devoted to the roads in the contemplated improvements is much greater than the quantity of acquired land which would be so devoted?—Yes, because we should have to purchase a large quantity of property, and devote it to public improvements.

WILLIAM CORRIE, Esq., called in; and Examined.

W. Corrie, Esq.

1106. *Chairman.*] Do you desire to give an explanation to the Committee with regard to the 4 *d.* duty upon coals?—Yes. What we say is this, that fully assenting to what Sir John Thwaites has said with regard to the propriety of appropriating the coal dues generally, we have a peculiar claim in asking for the renewal of that tax, because we say that it belongs to ourselves; we say that in the year 1831 our rights were reserved to us in the Act of Parliament.

1107. Do you say that your rights were reserved to you or your claims?—Our rights; I will read the marginal note: "The right of the Corporation of London to be resumed after seven years, or sooner, if the duty ceases."

1108. Did the Act recognise any rights, or did it give you a right to claim whatever you might be entitled to claim?—It sets out our claim; first, it says that we have the tax by prescription, and then it goes up to the year 1831, when we had received it from time immemorial.

1109. It sets out the charter?—Yes, it sets out the first charter and the second charter. We claim first of all by prescription from time immemorial; then in the reign of James the First, a charter was granted confirming that prescription, and then a subsequent charter was granted. That went on till the year 1831, and there can be no doubt upon the matter.

1110. You are aware that the subject was investigated

vestigated by a Committee who inquired into it previously to the last Act?—Yes.

1111. After the passing of that Act the subject was again investigated by a Committee in 1861?—Yes.

1112. And you are aware that the Committee came to this Report, in which they stated, "The City of London having thus been permitted to receive the duty of 4*d.* a ton on that basis, the claim to levy 4*d.* a chaldron subject to a deduction of 36 per cent. in the port of London, and river under their conservancy, was converted into a power to receive 4*d.* on four-fifths of a chaldron, without being subject to any deduction (except some payments for expiring pensions) on all coal brought both by land and by sea within 20 miles of London. The duty of 4*d.* by these means, as well as by the growth of population, increased to 74,824*l.* in the past year. Hence it is apparent that whilst in the year 1785 the City received only 1,120*l.*, and in the year 1829 the sum of 15,059*l.*, for superintending the discharge of important duties by the coal meters of London, it now receives 74,824*l.* without rendering in return any service whatever in relation to the trade in coal. Your Committee, however, deem it unnecessary to pursue this subject further, as the House has just passed a Bill to appropriate the duty of 4*d.*, which it has continued for ten years, first for the payment of certain debts incurred in effecting public improvements, and secondly in aid of future public improvements in and adjacent to the City of London"?—I am quite aware that the Committee arrived at that conclusion, but that does not at all affect the question of the right of the City, under Acts of Parliament and Charters. In the year 1831, by 1 & 2 Will. 4, c. 74, their rights were reserved to them at the end of seven years. Before the seven years were expired, another Act of Parliament was passed, 1 & 2 Vict. c. 101, s. 61, and the rights of the City were reserved, so that they should not lose their rights by prescription and charter. Then before the period had expired another Act of Parliament was passed in 1861, 24 & 25 Vict. c. 42, continuing it for ten years, and that Act of Parliament, in the 10th Section, particularly reserves the rights of the City; then in the year 1863 another Act of Parliament was passed, 26 & 27 Vict. c. 46, still continuing their rights.

1113. Their claim of rights?—It does not much signify whether we call them claims or rights; of course it does not give them more than they had; therefore we are now in the same position as we were in 1831: supposing that Parliament does not continue the provision as to the coal duties, those coal duties are reserved to the City and the City would have a right to them.

1114. They would claim to receive them?—Yes.

1115. But that claim would be subject to the decision of the Committee in 1861; first, because they could not claim a prescription for that which did not exist for the term of prescription; secondly, because they asserted they had a right to receive 1,120*l.* a year; and thirdly, because the charter of the City could not confer a toll thorough upon commerce, and the City have abandoned their claim in a court of justice, and several other matters?—I am quite sure that neither this Committee nor the House of Commons nor Parliament would take away the rights of the City without hearing them, and without evidence being laid before them, upon which the City thought that they could establish those rights; of course a resolution here, or in the former Committee, without the City being allowed to bring their evidence, could not be of much weight.

1116. Mr. *T. G. Baring.*] Do you mean to maintain the doctrine that Parliament has not the power, if it pleases, to abolish this tax?—I scarcely call it a tax; I should say that it is the collection of money in a particular district for the benefit of that district; a tax is something for Imperial purposes, but this has never been applied in that way.

1117. It is a local tax?—Yes.

1118. Do you question the power of Parliament to deal with and abolish the coal tax, supposing Parliament to consider that it is due to the manufacturer that that tax should be abolished?—The power of Parliament is said to be infinite, but I submit that Parliament would not take away our rights without compensating us.

1119. Do the City hold that they have a right to deal with this tax without conferring any public advantage, or that they can deal with it only for purposes of public advantage?—Parliament has said, in 1831, that after the expiration of the Act it should be applied to the same purposes as it was before that time.

1120. Do the City hold that they have a right to deal with it at their own pleasure, or do they consider that they should devote it to public improvement?—They have a right to deal with it as they please, but are quite willing that right should be waived in favour of public improvements in the City.

1121. Then you hold that the City have a right to apply this coal tax in any way that they please?—From time immemorial they have used it for public purposes.

1122. I do not refer to what the City have done, but to what they believe they have a right to do. Am I to understand you to state that they believe that they have a right to do what they please with this tax?—I am not prepared to state the view of the City, but as a lawyer I say they would have a right so to do.

1123. I wish to know what view the City hold upon this point?—I can only give you my own view upon the Acts of Parliament.

1124. Mr. *Mill.*] Is it your theory that a public body can be authorised to levy a tax, whether local or general, for their own benefit?—The Corporation of the City of London have carried on various works from time to time, and they have applied this money not for their own purposes, but for public purposes.

1125. Do you think that it can be applied to any but public purposes?—As a lawyer, I hold that the Corporation, if they are disposed so to do, can apply it as they please. There is nothing to prevent them from doing it, but it never has been done.

1126. *Chairman.*] Will you explain why the Corporation has any claim at all to 4*d.* a ton upon coal?—From what I know of the subject, I believe it is founded on immemorial custom and charters, confirmed by Acts of Parliament.

1127. The Corporation would have a claim to a certain sum for measuring coal?—The Act of Parliament says that they have it; it refers to their former rights.

1128. There would be something a ton for measuring coal?—Yes.

1129. Brought into the Port of London?—Yes.

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1130. The Port of London no longer belongs to the Corporation of London; I believe that that is transferred to commissioners?—Yes, for the purposes of conservation; the Thames has been vested in commissioners, of whom the City nominate a certain number.

1131. You would not probably like, as a lawyer, to say that it is possible for the Corporation to levy a toll thorough, when that body has not any port; are you aware that it is not in the power of the Corporation to levy a toll thorough, not having the port?—This is not a toll thorough. If they before had power to levy this toll, I do not think that the charge of the river having been removed from them would affect it; I say that the giving the conservation of the Thames to certain commissioners would not affect the rights of the Corporation.

1132. Has not the power lapsed?—As a lawyer, I do not think that the right is at all affected.

1133. You do not think that it would lapse as regards the Corporation?—I think not; I want to impress upon the Committee that there is an additional reason for continuing this duty and applying it for public purposes, which the City are quite content should be done.

1134. Mr. Alderman *Lawrence.*] The City, although they have been in receipt of this tax from time immemorial, I believe, have had no power to charge it for improvements without the authority of Parliament?—I think that it will be proved that they have employed it for public purposes from time to time.

1135. Is it not a common case in this country, that where special dues have been levied by various corporations, with the power to do with them as they think proper, that money to an enormous amount has been paid for compensation when the same by Parliament has been taken away?—Yes, compensation has, I believe, always been given. I could give many instances. The case of Liverpool is a strong one.

Thursday, 22*d March* 1866.

MEMBERS PRESENT:

Mr. Ayrton.	Mr. Alderman Lawrence.
Mr. T. G. Baring.	Mr. Locke.
Mr. Beecroft.	Mr. Mill.
Mr. Bazley.	Sir Matthew White Ridley.
Mr. Hanbury.	Mr. Sandford.
Mr. Kekewich.	Mr. Tite.

ACTON SMEE AYRTON, Esq., IN THE CHAIR.

PETER ROLT, Esq., called in; and Examined.

1136. *Chairman.*] YOU are, I think, connected with a factory on the banks of the Thames?—I am Chairman of the Thames Ironworks and Shipbuilding Company.

1137. Do they manufacture iron to some extent as well as build ships?—Largely.

1138. Do they, in their business, consume a large quantity of coal?—Yes.

1139. Can you give the Committee a general idea of the quantity that they consume a year?—We consume, upon a moderate calculation, about 50,000 tons a year.

1140. You are aware of the extent of the local tax to which that coal is liable?—Yes, 1*s.* 1*d.* a ton.

1141. In the ordinary course of business there is always some addition to be made to that tax?—One penny a ton or so to cover landing charges, and so on, would be enough.

1142. Do you consider it an advantage to your business to continue this tax of 1*s.* 1*d.* a ton, or would it be a benefit to remit it?—It would be a great benefit to have it removed.

1143. Do you think it is the general opinion of those engaged in business, like yourself, on the banks of the Thames, that this is a desirable tax that ought to be kept on in their business?—I think the opinion generally is that it ought to come off. In the north they do not pay a tax upon coal; whereas we are taxed in the Thames, which naturally enhances the price of our work as compared with that of manufacturers in the north. Again, if you take the coast of France, they have no tax upon coal, and we have to compete with them; so that we are hardly put upon a fair footing in the competition. What we have to pay for the coal tax comes to 3,000*l.* a year.

1144. Do you consider that the coal tax which you have to pay is a very serious consideration in the competition which you carry on with others in your business?—Yes, as far as 3,000*l.* a year goes.

1145. In competing with the north of England, the lower rate at which they can get coal there as compared with what you get it at in London, puts you at a disadvantage, which is aggravated by the coal tax?—It must be so.

1146. You look upon the question of coal as a very important element in the calculation of profit and loss in your business?—Yes.

1147. Do you happen to know whether there was a strong feeling expressed by those engaged in trade respecting the coal tax at the time it was renewed, that they ought to be exempted from it?—I have heard so.

1148. Do you derive any benefit in your business from the expenditure of this tax upon coal?—None whatever; it is applied, I believe, to improvements in London which we, on the banks of the Thames, get no advantage from.

1149. It does not recommend itself to you as being applied in benefiting the Port of London in any way?—No; shipping derives no benefit from it at all.

1150. The shipping has still to bear all the charges of maintaining the conservancy of the Port of London?—Yes.

1151. And no contribution is made to the expenses of maintaining the port by the ratepayers who live in the metropolis?—Certainly not.

1152. You think as you bear all your own expenses incident to shipping by the charges imposed upon shipping by the Conservancy, so the inhabitants might bear the expense of improving their streets?—No doubt about it; I have thought that it ought to be made a partial tax, that is to say, a house tax, so that trade should not be injured by it.

1153. You think if it is to be levied as an indirect house tax, it ought to be confined to coal consumed in houses?—Yes, I meant that by saying that I thought it ought to be a partial tax.

1154. Mr. *Locke.*] Do you recollect some few years back this question being agitated by the Metropolitan Board of Works?—Yes.

1155. The Metropolitan Board of Works were desirous at that time, were they not, of making a distinction between persons carrying on business and householders?—Yes, I recollect; that it was some years ago.

1156. That is the view that you take of it now?—Yes.

1157. You think the trade of London ought to be exempt from this coal tax?—I do, indeed; there are many trades that do not use coal at all, and which therefore are not taxed. Why should our special trade of shipbuilding and engineering be taxed to this extent when others are free, and why are we brought in unfair competition with France and the north, with that extra weight upon us of 3,000*l.* We look upon 3,000*l.* as a great deal of money.

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1158. We know that there are large manufacturers in the north of France; what would be the freight from Newcastle to France; would it be greater than from Newcastle to London?—I cannot answer that question; our coal is all inland coal.

1159. What price do you pay for your coal?—Fifteen shillings and sixpence a ton for Copplehill; for Pontops, a little less.

1160. In Yorkshire they would pay about 8*s.*, would they not?—I suppose they would.

1161. Nine shillings would be the outside price?—I suppose it would.

1162. Do you find that that difference is important to you in competition with others in your business?—We find it so.

1163. It has been stated by the chairman of the Metropolitan Board of Works that you in London have peculiar advantages; namely, that you are nearer good customers than they are in the north; that, in point of fact, the trade is more advantageously carried on in London than it would be in the country; would that apply to your works?—As large shipbuilders, perhaps the largest, we have to compete with the north, and we find that the north of England frequently, unless we cut it very low indeed, beat us.

1164. That observation, with respect to London being a better market, would hardly apply to shipbuilding, would it?—No.

1165. *Chairman.*] Have you in the shipbuilding trade any benefit from your situation?—None at all.

1166. Mr. *Locke.*] Supposing a merchant in London ordered a ship in London and ordered another ship in Glasgow, would he get the ships at the same price, or would the locality in which the ship was built have any influence upon the price?—They make ships cheaper in Glasgow.

1167. A ship does not command a higher price on account of its having been built at a particular place?—No, I do not think it does always.

1168. If a merchant in London ordered a ship at Glasgow, it would have to be brought from Glasgow to London, would it not?—Not necessarily; they make steam engines at Glasgow, and the vessel could depart from there as well as from here.

1169. If a merchant wanted to ship his goods from London, the ship would have to be brought round from Glasgow to London, because the ship would have to be laden here?—The ship could load in Glasgow equally well.

1170. The manufactured articles that would be placed in it would then have to be conveyed by rail?—I do not think that that would make any difference.

1171. Mr. *Kekewich.*] What is the extent of your premises?—They cover about 32 acres of freehold land.

1172. To what amount are they assessed?—I do not know.

1173. Assuming that a certain amount of money is required to be raised for improvements, and you do not raise it by the coal tax, in what way would you suggest that it should be raised so as to press less heavily upon you than the coal tax?—I have thought that it would press far more equally by a house tax.

1174. Do you think that is the general opinion amongst people carrying on business in London?—I believe it is; then all would pay alike.

1175. In order to carry out certain improvements, you must pay a certain tax. The question is, which is the most equitable way of imposing it?—I have not gone into what tax would be the best, I have only turned my attention to the way in which this tax presses upon trade.

1176. *Chairman.*] You have not directed your mind to the general question of taxation, but you only speak to the way in which this special tax operates upon your own trade?—Yes.

1177. Sir *Matthew Ridley.*] The Chairman of the Metropolitan Board says that though the manufacturers on the Thames pay this coal tax, it really is not an item of material moment to them, inasmuch as that disadvantage is counterbalanced by other advantages arising to them from their situation as manufacturers in the immediate locality of the metropolis. Do you consider that the manufacturers in London have any counterbalancing advantages from their locality?—No, I do not agree with the Chairman of the Metropolitan Board upon that point. If we have other advantages, we have other disadvantages to counterbalance them. The price of labour on the Thames is higher than in the north, and also higher than in France. Every additional expense that we are put to operates, of course, to our disadvantage in competing with other places.

1178. Mr. Alderman *Lawrence.*] The Thames Iron Works, I believe, build large ships, and ships of various kinds, but their business is not entirely confined to ship-building?—We built the "Warrior," the "Valiant," and the "Minotaur," and we have built other vessels for the Government, and for Foreign Governments; and we have also built vessels for the Peninsular and Oriental Steam Company. Then we do a very large business in the metropolis, and elsewhere, in castings and girders for the large railway bridges, and we also make steam-engines.

1179. Any kind of work composed of iron you are ready to take in hand?—Yes.

1180. You have, I presume, the largest business in this metropolis?—Decidedly. We now make our own iron, build the ship, make the engines, dock her, and turn her out to sea complete.

1181. You, on the banks of the Thames, in supplying those articles which are required for railway engineering in the metropolis and elsewhere, are able to compete with the manufactories in the country?—We do do it; but we labour under disadvantages; we are obliged to meet things, in fact.

1182. Your works occupy a very large space of ground?—I think 33 acres of freehold ground at West Ham.

1183. I assume you would find it difficult to meet with ground of that extent on the banks of the Thames, which would be so convenient for your business?—Yes, no doubt.

1184. The value of that is rising daily, is it not?—Yes.

1185. Can you at all estimate what the rental of your works would be if you had to pay rent for them?—I do not know; we have spent 300,000*l.* or 400,000*l.* upon them.

1186. You put down rental in your accounts, do you not?—Yes; but we take it as interest of money.

1187. Supposing the premises were to be let by the Thames Iron Works Company to another concern, what rent do you suppose would be a fair rent for the in-coming tenant to pay to the Thames Iron Works Company for those premises?—That is rather a difficult question to answer.

1188. *Chairman.*]

1188. *Chairman.*] It would involve the rental of all the works and furnaces, and everything?—Yes, there is a very large mass of machinery. We have lately expended 100,000 *l.* in addition. Say that 400,000 *l.* will have been laid out, the interest of the money would be about 35,000 *l.* per annum.

1189. Sir *Matthew Ridley.*] That includes machinery?—Yes.

1190. Mr. Alderman *Lawrence.*] You would estimate a rental of that kind at something like 50,000 *l.* a year, I presume?—No, not so much as that; say 35,000 *l.*

1191. Between 40,000 *l.* and 50,000 *l.*?—Not so much as that.

1192. From 35,000 *l.* to 40,000 *l.*?—Yes.

1193. If a general rate were imposed on property all over the metropolis, and the coal tax were abolished, the company would have to pay that rate upon that rental?—They would have to pay it upon what they were rated at.

1194. I presume some of those large girders and heavy columns which you have made for the various large works going on in the metropolis have been sent by barges on the river, where they could be landed from barges, and others, I presume have been taken by land carriage to their destination?—Yes.

1195. I think you stated that the coal you use is all inland coal?—Yes, except the smiths' coal.

1196. I presume that inland coal is brought by railway to your premises?—Yes, it always has come by rail to our premises.

1197. Are you aware that the various railway communications that have been established in the metropolis have involved the necessity of great alterations and improvements in order to facilitate the traffic which has arisen in consequenee of those railway communications?—Yes, I have heard that.

1198. I believe I may take it that castings on the banks of the Thames command a higher price than castings made in the country, being considered to be of better quality?—The price being lower in the country for castings than here, we lose a vast quantity of orders. I do not mean that they are not rougher, but they are cheaper.

1199. That is to say, for works where a commoner article will do, you cannot compete with country castings?—No.

1200. But where a good and substantial article is required, engineers prefer your town castings to country castings?—No, I do not think that; I do not find it. People look at the price; though the country castings are not quite equal to our castings, they come up to the necessary test, and therefore people go to the north for castings. I have known cases where the difference of price has been 10*s.* a ton; but there are, on the other hand, cases where purchasers find it better to come to London, for a few shillings, and go back again, and have no impediment in getting the manufactured goods to their works; because, from Blackwall to Westminster, up the river, for instance, they would be certain of a barge bringing them the things by a tide, whereas if they go to the north they have further to travel, and they are not quite so certain of getting their goods; and if delay takes place, their men stand still.

1201. As regards castings, there is greater facility for carrying on the business in London than in the country?—In that respect there is; but Belgium beats us.

1202. With respect to ship-building, do you not assume that ships built by the Thames Iron Company on the banks of the Thames are of a superior quality to ships built elsewhere?—They are considered so.

1203. Have you not the advantage of getting better workmen than can be got elsewhere?—I do not know that we do; they are picked artizans; but the Government go to the north as well as to us, and their ships are very well turned out. Messrs. Napier and Messrs. Laird have a a very high reputation.

1204. Is not it considered generally that the workmen employed at the engineering works in London are not only paid higher wages than men of the same class in the country, but that they are a superior class of men, whose services are worth more to their employers than would be represented by the extra wages paid?—They are thoroughly skilled men; but, on the other hand, you see ships and steam-engines produced in the north, and which are passed by the Government inspectors, which would go to show that the same skilled labour is got in the one place as in the other.

1205. Are you aware to what improvements the coal tax has been applied?—I only know that it has been applied generally to metropolitan improvements.

1206. Are you aware that the present tax is charged for various improvements of the streets of London?—I am quite aware of that.

1207. Which streets of London your vehicles use?—No, we do not use the streets much; we principally use the water.

1208. Still there must be a large amount of girders and columns carried to their destination by land?—No, we should not carry girders and columns from Blackwall in a carriage; we would deliver them by water generally.

1209. Would not they be taken by water to the nearest wharf, landed there, and then drawn from there to the works where they were required?—Yes.

1210. *Chairman.*] Therefore the application of the tax to destroy the wharves on the Thames would be rather an injury to your business than a benefit?—Yes.

1211. Mr. Alderman *Lawrence.*] You state that it would be advisable to abolish the coal tax, and raise the sum that might be requisite for the improvement of the metropolis by a house tax; what do you mean by a house tax?—I would increase the present house tax.

1212. By a house tax, do you mean a tax on houses only, relieving manufactories from the incidence of that tax?—It would be more fair if everybody bore a part, instead of its being laid upon special trades; indeed, all consumers.

1213. If I understand you correctly, you think that the expense of all the large improvements required in this metropolis should be neither met by means of a coal tax, nor by a rate that should fall upon manufactories of any kind whatever?—I think it should be a general tax.

1214. You think that the tax for such improvements should be confined to houses entirely?—I should propose that the tax should be a house tax, and upon all consumers of coal.

1215. Are you still increasing your present works, your machinery, and your capabilities of carrying on your large manufacture?—Yes, very much.

1216. So that the present coal tax has not

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prevented you increasing your establishment to a certain amount?—No, it would not do that; we must face these things.

1217. In your large business and your large outlay, the coal tax is not an incident that would have the effect of preventing that extension?—I should hope not. £. 3,000 a year would not stop it.

1218. Have you not a great advantage in being near the great shipping establishments, the large companies, and the engineers in London, from whom you obtain your orders?—No; we may obtain orders from France, and all over the world.

1219. Are you aware whether, in any shape or form, with the exception of the coal tax, your large works contribute anything towards the improvement of the various streets of London, and other improvements?—I am not aware that they do, except that they pay the ordinary assessment. I do not know how that is applied.

1220. Mr. *Tite.*] Do you find, as manufacturers, that any of those burthens, either the coal tax or anything else, press heavily upon you?—The coal tax presses upon us to the amount of 3,000 *l.* a year.

1221. Are there any other local burthens which press upon you?—We are assessed as other people are.

1222. In what parish are you?—In West Ham.

1223. You are beyond the metropolitan district?—Yes, except a very small portion of the works.

1224. If this coal tax presses heavily upon you, and is an important item, why do not you go to Glasgow or some other place, where you would be free from that tax?—Having laid out 400,000 *l.* to 500,000 *l.* here, we should have to lay out 400,000 *l.* to 500,000 *l.* again elsewhere.

1225. Would not you be able to find plenty of customers for your works here?—I do not know that we could; I should be very sorry to try it.

1226. Seeing that you are exposed to the competition of Glasgow and other places, and that you have to pay this 3,000 *l.* while they are free, how do you manage to hold your own against them?—We get on in the best way we can.

1227. You do not work for nothing with a capital of 500,000 *l.*?—No; but we might work for more if we had not that tax.

1228. You would like to get the 3,000 *l.* for yourselves?—No; we should distribute it over the area of our works; it might be distributed with benefit among the men.

1229. You and Mr. Laird at Birkenhead, and other manufacturers at Glasgow, are in competition?—Yes.

1230. Owing to the advantage which the London market gives you, you hold your own?—Yes.

1231. In 16 years this coal tax would be at an end; the continuation of it for that time would not much affect you, would it?—As I said before, it amounts in our case to 3,000 *l.* a year, which places us to that extent in an unfair position in our competition with the north.

1232. Does it really affect you?—Every tax must affect us, more or less; I do not say it is much.

1233. With a capital of 500,000 *l.*, 3,000 *l.* a year for the coal tax is a very small item in your expenditure, looking at other items which you have to pay; you pay more for labour than they do at Birkenhead or Glasgow, do you not?—Yes.

1234. There must be counterbalancing advantages, I presume, or you would not be able to carry on your business?—I do not see any counterbalancing advantages.

1235. Not in being in London?—No.

1236. Then why do not you remove where you can get coal for half the price?—Nobody would suppose that an establishment like ours, with the enormous capital that we have laid out on it, could be removed from where it is, and established in France, or Glasgow, or Belgium; we should be mad to attempt such a thing.

1237. Companies have taken very large establishments, almost equal to yours—Mr. Scott Russell's works for instance—believing that the competition which they are exposed to on the Thames is no worse than at other places?—I cannot answer for what they have done.

1238. *Chairman.*] I suppose there is a wide limit between severe competition pressed by a tax, and actual destruction by a tax?—Yes, of course.

1239. You do not think it absolutely necessary that you should be destroyed by a tax before you complain of it?—No, certainly not; it would be too late to do it then.

1240. Mr. Alderman *Lawrence.*] I think you stated that you thought it would be desirable that the coal tax should be limited to coals consumed in private houses?—It would be partial then; it would not tax the manufacturers so much, and become a general rate.

1241. *Chairman.*] Your works are rated like other properties?—Yes, we pay the same as our neighbours pay; all the rates, whatever they are.

1242. Mr. Alderman *Lawrence.*] I believe you pay nothing whatever to the Metropolitan Board of Works?—No.

1243. You have no Main Drainage rate or any rate collected by that Board?—No, I do not think so.

1244. *Chairman.*] Except for your premises in the metropolitan district?—Except that portion on the Blackwall side; that is a very small proportion.

1245. Mr. *Sandford.*] How long have the company had the works?—About nine years.

1246. Then you took the works, knowing that this coal tax existed?—Yes.

1247. I suppose that was a matter which entered into your consideration when you took them?—Of course.

1248. If the coal tax were taken off now, it would be virtually making you a present of so much as you pay for the coal tax?—We took it with all those liabilities, with which we have had to contend ever since.

1249. You entered upon the business with a knowledge that you would have to pay this tax?—Yes, the coal tax existed.

1250. *Chairman.*] As the law then stood the tax would have expired in three or four years?—Yes.

1251. Mr. Alderman *Lawrence.*] Are you aware that in the metropolis, beyond the limits of the coal duty, coal is dearer than in the district in which the tax is levied?—I was not aware of that.

William M'Murray, Esq., called in; and Examined.

1252. *Chairman.*] You are a paper manufacturer?—Yes.

1253. Where is your manufactory situate?—I have one manufactory at Wandsworth, and another on a smaller scale at Loudwater, near Rickmansworth in Hertfordshire.

1254. Are both those premises within the area within which the coal tax is levied?—No; only the Wandsworth mill.

1255. Do you consume any considerable quantity of coals?—About 10,000 tons a year.

1256. Upon that quantity you pay a duty of 1 *s.* 1 *d.*?—Yes.

1257. I presume something additional has to be paid for trade charges upon the 1 *s.* 1 *d.*?—Yes.

1258. Do you consider it an advantage to your business to have to pay this tax?—On the contrary, I consider it a very great disadvantage.

1259. You are not one of those gentlemen who stated to the Chairman of the Metropolitan Board of Works that you derived advantage from your situation, and from your liability to this tax?—Certainly not; we are within the Parliamentary boundary with respect to consuming our own smoke, and we are obliged to burn smokeless coal from the difficulty we find in consuming smoke; that entails upon us, individually, an additional tax of about 2,000 *l.*

1260. Do you consider this tax, which amounts to a considerable sum, on your business an element that presses against you in competition with other manufacturers?—I think so. Comparing our mills with mills at Dartford or Crays, where there are extensive mills similar to our own, we are placed at a disadvantage represented by 500 *l.* or 600 *l.* a year.

1261. That is an item to be considered in the conduct of your business?—It is a consideration, especially looking at the position in which the paper trade has been recently.

1262. You do not think it reasonable that, having been brought into competition with foreign paper makers, you should be subject to this tax?—It has increased the hardship very much and has rendered our case peculiar; while we had protection we could accommodate the matter, but now we have no means of doing so.

1263. Are you subject to the rating of the Metropolitan Board at Wandsworth?—Yes; to all rates of every kind.

1264. Those rates are levied upon your business premises?—Yes.

1265. Upon the value they would let for for the conduct of your business?—Yes; they are rated at about 2,000 *l.*

1266. You first pay a contribution on the 2,000 *l.* a year towards the expenditure of the metropolis, and you pay the additional tax upon coal?—Yes. I pay 600 *l.* a year in addition on coal.

1267. You think that it is a hardship upon you, as compared with other trades upon which the coal tax is not imposed?—A very great one.

1268. Do you think that if the principle of taxing trade is adopted it ought to be upon all trades; or that there ought to be an exemption of all trades?—I think so.

1269. Mr. *Locke.*] Your mill in Hertfordshire in beyond the boundary of the Metropolitan Board?—Yes.

1270. Have you any peculiar advantage in carrying on your business at Wandsworth that induces you to carry it on at Wandsworth as well as in Hertfordshire, you having in the one place to pay the duty on coal, whereas in the other you have not?—We are certainly nearer to London at Wandsworth than we are at Rickmansworth, but otherwise there is no particular advantage.

1271. It would not be worth your while to move your whole business from Wandsworth to Hertfordshire?—We could not afford to do it. The mills have been established there under other circumstances, when the conditions under which the trade was carried on were different. If we were commencing business now, we might choose another locality, but having been once settled there, and having acquired property round the works in which we have invested our money, it is not an easy matter to change to another locality.

1272. Therefore you submit to the inconvenience of paying this coal tax?—We are obliged to submit to it. The hardship was not so great formerly, before we were exposed to the competition that we are now subject to.

1273. You would incur a greater loss by removing to Hertfordshire and giving up the Wandsworth works than you sustain by having to pay the coal tax?—Yes.

1274. Mr. *Sandford.*] The proximity of the metropolis is an advantage to you, is it not?—It is.

1275. As a market?—No; I do not think we have any advantage in that particular, because paper is mostly made in the north, and it comes direct by vessels to the wharves in London; they are quite as well situated as we are for trade.

1276. Would not the carriage be less to London from your premises than from the premises of manufacturers in the north?—Yes; but our expenses are much heavier at Wandsworth than they would be in the north; and most of the goods come from Newcastle direct to the wharves from which the trade is carried on.

1277. What is the difference of freight between Newcastle and London and Wandsworth and London?—Some goods we could not deliver in London from Wandsworth under 5 *s.* or 6 *s.* a ton, while the freight from Newcastle to London is sometimes as low as 2 *s.* 6 *d.* I have known the carriage from Wandsworth as high as 5 *s.*

1278. You mean that the freight from Wandsworth to London is double what it is from Newcastle?—Yes it is, sometimes; there is not much difference in that particular, however.

1279. Mr. *Bazley.*] You say that you use 10,000 tons of coal at Wandsworth; what quantity do you use at Rickmansworth?—It is only a small mill there; 2,000 to 3,000 tons.

1280. Do you pay the same price in both places?—We have coals cheaper at Rickmansworth.

1281. What do you pay at each place?—At Wandsworth the cost is about 1 *l.*; at Rickmansworth the cost is 15 *s.* 6 *d.*, but that is inland coal; the one is Welsh and the other is inland coal.

1282. Are you aware that Mr. Wrigley, of Bury, pays for his coal one-third of the price that you pay at Wandsworth?—I believe the whole of the manufacturers in the north do.

1283. The great difference in the price of coal must be a great disadvantage to you?—Yes.

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1284. Has not the high price of coal at Wandsworth the effect of compelling you to pay a lower price for labour?—No, I think not.

1285. Comparing Mr. Wrigley's case with your own, the saving to him in the price of coal must be represented by several thousands of pounds?—We are obliged to make it up by industry and careful exertions.

1286. You do not think that the higher price of coal at Wandsworth lowers the price of labour at Wandsworth?—No, it presses very hard upon us; our compensation is solely in our industry.

1287. And greater skill?—We claim to have that too.

1288. Mr. Alderman *Lawrence.*] Your mill at Wandsworth is much larger than your mill at Rickmansworth?—Yes.

1289. I believe you have been increasing your works at Wandsworth within the last few years?—We have been obliged to do that to meet the competition; that is the only way we are able to overcome it.

1290. The power of the mill, I believe, has been increased within the last seven years, may I say double?—You may.

1291. More than that?—Perhaps it has.

1292. Four times?—I do not know about four times, but it has been very much increased.

1293. Has the mill at Rickmansworth been increased in the same proportion?—We have been increasing it also.

1294. In the same proportion?—Not so much.

1295. Then the difference between the price of coal at the one place and the other has not been sufficient reason for causing the Rickmansworth mill to be increased to a larger extent than the Wandsworth mill?—The reason why we have not increased the Rickmansworth mill is the difficulty that we should get into with regard to the pollution of the stream. We should have extended the works at Rickmansworth, but for that difficulty, rather than at Wandsworth.

1296. You have a superior supply of water at Wandsworth to that which you have at Rickmansworth?—Not a superior supply, but we have not been hampered to the same extent in regard to the pollution of the stream.

1297. You are permitted to pollute the river at Wandsworth more than at Rickmansworth?—We have not been troubled to the same extent.

1298. The coals you use are Welch coals?—Yes, on account of having to consume our smoke.

1299. Do you find it more convenient to use Welch coal than to employ any apparatus for consuming the smoke in your mill?—I have tried every species of smoke-consuming apparatus that I am aware of, and under the whole of them I was continually indicted, and I was obliged to abandon them altogether at a sacrifice of at least 2,000*l.* a year.

1300. You believe, that in consequence of consuming your smoke it costs you 2,000*l.* a year?—Yes, in consequence of being compelled to use smokeless coal.

1301. Are you aware that Messrs. Buckstone & Co. state that they save 2,000*l.* a year in consequence of being compelled to use smoke-consuming apparatus?—I saw that in the paper the other day. I only know that I have tried every species of apparatus without success; I had every inducement to persevere.

1302. Your goods are brought to London principally by land carriage?—Mostly by land carriage; our goods are mostly brought down by water carriage; the manufactured paper is brought up by land carriage.

1303. In your answer just now, with respect to the freight of goods from Wandsworth and the freight of goods from Newcastle, I presume you alluded entirely to water carriage?—Yes, from Newcastle.

1304. Are the goods from Rickmansworth brought by rail partly?—Partly by rail and partly by road.

1305. Is the cost of delivering goods from Wandsworth in the metropolis less than the cost of delivering goods in London from your mill at Rickmansworth?—Yes, about half less.

1306. So that if the same amount of goods were manufactured at Rickmansworth as are manufactured at Wandsworth, the cost of carriage would be much larger than the extra amount that you pay for the coal tax?—It would be half more, unless we made some arrangement for carriage by rail. We have not a large trade there altogether, but I believe from the convenience now of railways, our goods could be delivered by rail about as cheaply in London from Rickmansworth as from Wandsworth by road.

1307. My question is this. Under the present system, if the same amount of goods were brought from your mill at Rickmansworth to London, that you now bring from Wandsworth to London, would not the extra cost for carriage be equivalent, or more than equivalent to the amount that you pay as coal tax. You have stated that it costs you twice as much to bring goods to London from Rickmansworth as from Wandsworth?—From Rickmansworth it costs about 10*s.* by road. We do our own carriage from Wandsworth; perhaps that costs 5*s.* or 6*s.* a ton.

1308. It costs you twice as much then to bring goods from Rickmansworth at present as it does from Wandsworth?—You may say so.

1309. Supposing the whole quantity that you send to London from Wandsworth were brought from Rickmansworth, would not the extra amount you would pay for carriage as nearly as possible be equivalent to the coal tax?—There would not be much difference, unless we brought it by rail; we could bring it as cheaply by rail from Rickmansworth to London as we could from Wandsworth by road.

1310. Though you suffer under disadvantages from being within the metropolitan area, you, at the same time, enjoy advantages in being much nearer to the metropolis?—There is that advantage. I do not consider that it is a monetary advantage; it is a convenience, but not a monetary advantage, because in the country we pay less for labour than we do at Wandsworth; we are obliged to pay higher for labour in London than at Rickmansworth, and the amount that we should save in labour would quite cover all our extra carriage.

1311. Have you any proposition to make with respect to a substitution for the coal tax; do you consider that the coal tax should be levied in a different manner?—I have never gone into the question myself, but I think that a tax upon all houses—I mean both places of business and houses generally—would be a more desirable mode than taxing manufacturers so heavily, especially as we are very great employers of labour and very great benefactors to the community.

1312. If I understand you rightly you would prefer that the tax should be levied on coals consumed

sumed in warehouses, counting-houses, and private houses, and that manufacturers should be relieved from it?—I think that would be desirable.

1313. You think that would be more equitable?—Yes.

1314. Though you enjoy certain advantages from being within the metropolitan area, you would think it desirable that you should be relieved from the burthen of the coal tax, which is levied for the improvement of the metropolis only?—Although manufactories were exempted, my place of business in London would be liable to the coal tax, and all wharves and so on where business was transacted, and all occupied houses. I see no injustice in that. We are great employers of labour, employing many hundred people, and those are all consumers of coal and payers of rates of some kind.

1315. You would recommend a coal tax to be levied upon the inhabitants of a small house; for instance, you would impose it on a silk weaver who manufactured upon his own premises, but the large manufactories of this metropolis you would exempt?—That is merely a fancy suggestion; the 2*d.* or 3*d.* which a silk weaver would pay upon a ton of coals would not be a great affair after all; it becomes an imaginary case.

1316. Are you not aware that a very large amount of the manufactures of London is carried on in houses not of a large size by persons working upon the premises in which they live?—Their consumption of coal must be very small.

1317. Whatever it was, they would be charged with the tax; and the large manufacturers would be relieved from it, according to your suggestion?—It is impossible to have a perfect standard; there may be a comparative hardship in some cases, but small amounts like that would not be felt.

1318. Mr. *Tite.*] Your complaint, I take it, is simply this, that at Wandsworth you pay 500*l.* or 600*l.* a year for coal duty, which you would be very glad to get rid of?—Yes.

1319. In the same way, you might say that you would like to get rid of your poor rate: what do you pay for poor rate in Wandsworth?—It is very high; the taxes altogether are about 700*l.* or 800*l.*: it is a most expensive locality in which to live or carry on business.

1320. At present you find it difficult to extend your works at Rickmansworth, in consequence of your polluting the stream; has not an injunction been obtained to prevent you throwing your refuse into the stream?—They are endeavouring to do so; they are applying for an injunction.

1321. Do not you think it is likely that that will happen also at Wandsworth, and that, having spent 4,000,000*l.* of money to get rid of pollutions, you will not be allowed to pollute the stream at Wandsworth?—I do not know that we do pollute it at Wandsworth.

1322. You turn Esparto grass into paper on your works?—Yes.

1323. Using in the process an enormous amount of chemicals?—We use the same chemicals as for rags.

1324. To a larger extent, do you not?—It would depend upon the kind of grass.

1325. It is suggested that your process leads to the pollution of streams, whether it does or not, and you have been inconvenienced at Rickmansworth by proceedings to prevent you throwing refuse into the stream?—We have.

1326. And, probably, you may be at Wandsworth?—It is quite possible.

1327. Do not you think it would be wise, looking at the price you pay for coal, and looking at these inconveniences to which you must be eventually subjected, to leave the manufacture of paper to those who can manufacture it cheaper than yourselves, like Mr. Wrigley and others in the northern counties?—Do you mean I had better go to the poorhouse?

1328. No; I mean, would not it be better to give up making paper in those places where the trade cannot be carried on advantageously?—It is my means of living.

1329. With regard to the coal-tax, you pay 600*l.* a year; of course you know that, whether wisely or otherwise, it has been continued for 16 years to come?—Yes.

1330. The question really at issue is, whether it is reasonable and right that it should be extended for another period. Take your own case; you say that the burthen falls upon you to the extent of 600*l.*; that would be a very small item in your expenditure, would it not?—It is a great hardship that I should pay 600*l.* a year; I, who have been a hard-working man, think a good deal of it: it is a living for a man. You, who live in London, do not, perhaps, think much of it; but we, who come from the country, think a great deal of it; and when we have to pay 600*l.* in addition to what they have to pay at Dartford or Crays, we must make 1,200*l.* to their 600*l.* in order to compete with them.

1331. All taxes having local limits, of course press more heavily on people within those limits. Your neighbour, Mr. Dickenson, wisely went at an early period outside the line, while you at Wandsworth stayed inside the line; is not your remedy to move into a locality where you get more advantages?—The manufactures of this country are a very important element in the welfare of the country, and I think they should not be subjected to anything that would prevent their development. If we are driven away from the place where we have established our business, we are crippled in carrying on our business, and the locality suffers to the extent to which we employ labour. The hardship was not so much formerly, when we were not subject to foreign competition; that has only come upon us the last two or three years.

1332. I apprehend, on the whole, you think the coal tax not an unreasonable thing if it does not hit the manufacturers?—No, I pay my tax as a householder as well as the coal tax.

1333. Is it an unreasonable tax; do you think it falls heavily upon the poor?—If it were a low tax and spread over all, I do not think it would be very burdensome.

1334. As a manufacturer having, as we all know and as we all commisserate, a very heavy struggle to maintain your place as a paper maker, you think 500*l.* or 600*l.* a year upon your coal is a burthen which you would like to be relieved from?—It is a burthen which I ought to be relieved from.

1335. How could a drawback be made to work in London; in London, seeing that the blacksmith who shoes a horse, or the baker who bakes a loaf, is burning coal in his manufacture, just as you are?—The coal consumed by such trades would be a very limited amount; it may be a proportionate hardship to pay 2*s.* or 3*s.* a year as it is for me to pay 500*l.* or 600*l.*; still the blacksmith

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smith can get over it by charging a penny extra for his work; we cannot; we are subject to competition from all parts of the country. In any small local trade of that kind, which is a necessity of the locality, they can get over it; but where we have the competition of the whole Continent and the whole of Great Britain, it is a different matter. In the case of local trades, such as silk-weavers or blacksmiths, they have no difficulty in getting over it, because they are not subject to the competition of the world.

1336. The baker is subject to a pretty severe competition in London, is he not?—No doubt.

1337. You think it is quite reasonable that the larger manufacturer should be relieved, and that the small manufacturer should be left to pay it?—When relieving me as a manufacturer, you are relieving the poor people who are employed by me; I am able to give them better wages than if I am borne down by heavy taxes.

1338. *Chairman.*] You do not recognise the principle that there should be special taxes in different parts of the country to equalise the profits of persons in business?—No.

1339. That would be quite a novel principle to you?—Yes.

1340. Mr. *Bazley.*] Have you steam power at Rickmansworth?—Yes.

1341. To what extent?—It is not a large mill.

1342. Have you put up that steam power within the last few years?—I found it there; the mill was formerly occupied by the late Mr. Herbert Ingram.

1343. How many years would that be ago?—About 10 or 12 years ago.

1344. You were aware, when you took those works, that you were incurring a great disadvantage in the difference in the price of coal at Rickmansworth as compared with the price in the north?—Yes, if I was not I ought to have been; but that was not so much an object then as now. When we were working under protection, it was not so fine a business; it is wiredrawn now.

1345. It was a voluntary disadvantage that you subjected yourself to?—Yes; but circumstances have changed since, and that makes it the greater hardship. I think manufacturers are entitled to the consideration of Parliament on that score.

1346. You have admitted, in one of your last answers to Mr. Tite, that the high price of coal has an effect on the price of labour, inasmuch as you stated that you were not able to pay wages to so great an extent in consequence of your disadvantage, as you might be able to do if you could get coal at a lower price?—That would be one of the natural tendencies.

1347. Mr. Alderman *Lawrence.*] I presume, in your allusion to the wages question, you refer to the number of persons you employ, not the amount of wages which you pay to each individual?—All those items have to be taken into consideration by the manufacturer.

1348. Do you think the price of labour depends in any way upon the taxes of an establishment?—I dare say it has some effect, taking the amount that is paid altogether.

1349. Does not the price of labour in this metropolis depend entirely upon the number of men in any particular trade requiring work, and the amount of work requiring to be distributed anywhere?—That must be so everywhere.

1350. It does not depend upon the taxes on an establishment?—That is to be taken into consideration also; that is another element.

1351. *Chairman.*] You do not mean to say that those are the only elements in the settlement of the price of labour?—No, it is one element.

1352. The price at which you can sell your goods, and a great many other things, enter into the question of the rate of wages?—Yes.

1353. Mr. Alderman *Lawrence.*] If the coal tax were taken off to-morrow, you would not think it incumbent upon you to raise the wages of the workmen in your establishment?—I do not know how that would be; it would depend upon other considerations, of course.

BENJAMIN SCOTT, Esq., called in; and Examined.

B. Scott, Esq.

1354. *Chairman.*] YOU are Chamberlain of the City of London?—Yes.

1355. Is it part of your duty to keep the accounts of the coal tax?—It is.

1356. Were you examined before the Committee that sat in 1861, on the Local Taxation of the Metropolis?—Yes, I was.

1357. The Act passed in 1861 to continue the coal tax?—Yes.

1358. At that period, was an account of the coal tax formally brought up and adjusted and closed?—An account was laid before Parliament, dated the 31st of May 1862, giving an account of the closing of the London Bridge approaches fund up to the passing of the Act of 1861.

1359. What was the exact date of the closing?—The account does not state the exact date; it is "from January 1861 to the period of closing the fund under the last-mentioned Act, 24th and 25th Victoria."

1360. Upon the passing of the Act, was a new account opened?—Yes, on the day of the passing of the Act.

1361. Have you an account of the sums received from the coal tax from the period of opening the new account up to the present time?—I have the account from that period, the 22d of July 1861, to the close of 1865, showing the application of the monies received. This is the account of the 4 *d.* duty, showing what has been paid for interest on loans, and the surplus applied in discharge of bonds under the Act (*handing in the same—vide* Appendix).

1362. On the 22d July 1861 the new account opened, and to the 31st of December of that year the net amount received on account of the 4 *d.* was 33,982 *l.* 10 *s.* 3 *d.*?—Yes.

1363. In 1862, was the net amount for the whole year 64,230 *l.* 2 *s.* 10 *d.*?—Yes.

1364. Is that after deducting all charges of collection, and so on?—Yes.

1365. In the following years the net amount increased, till in 1865 it reached to 83,578 *l.* 14 *s.*?—Yes, as stated in that account.

1366. Have you any reason to know whether the amount is likely to increase as heretofore in the same ratio, or whether it will remain stationary?—I am of opinion that there will be a gradual increase, but that will depend a great deal upon the legislation of Parliament.

1367. Supposing no immediate change to take place in the incidence of the coal tax, do you think

think it is likely to increase in the same ratio that it has done the last four or five years?—I think it may be estimated that it will increase in about the same proportion, provided no further lines of railway are introduced from the coal-fields. That is a very important element in the question of the ratio of increase.

1368. If new lines were introduced by which the coal would be brought cheaper to London, you think there would be a greater ratio of increase?—A greater ratio of increase.

1369. In the Act the 24 & 25 Victoria, I think it is provided that the net proceeds of the 4 *d.* tax shall be applied by the Corporation of London, in the first instance, in the payment of interest and the discharge of the principal sums stated in that Act; that is to say, 300,000 *l.*, 200,000 *l.*, and 40,000 *l.*, making 540,000 *l.* for improving Cannon-street, in the City of London, and for effecting other improvements in the City, as authorised by the Act 10 & 11 Vict. c. 280, and several other Acts of Parliament?—Yes, that is so.

1370. After discharging those moneys, it is to be applied by the Corporation towards or in aid of such public improvement or improvements adjacent to the City of London as Parliament should thereafter sanction?—It is so provided if there should be any surplus.

1371. I think it was also provided that the Corporation should keep accounts of the receipt and application of the duty separate and distinct from the accounts of the Corporation?—During the continuance of that Act.

1372. Will you state what progress has been made in the liquidation of those three sums I mentioned?—The interest upon the whole of those loans has been paid during the period since the passing of the Act of 1861; and there have been paid off and discharged of the loans in the year 1862, 60,000 *l.*; in the year 1863, 35,000 *l.*; in the year 1864, 35,000 *l.*; in the year 1865, 50,000 *l.*; and there was at the close of last year, 27,000 *l.* applicable to the discharge of bonds when they should mature, and a cash balance of 722 *l.* 15 *l.* 11 *d.*, making a total, which may be considered as discharged, of 207,722 *l.* 15 *s.* 11 *d.*

1373. What would be the balance remaining due upon those loans?—£. 332,277. 4 *s.* 1 *d.*

1374. Can you inform the Committee whether the account of Cannon-street and the other improvements mentioned in those Acts is still open; or has it been closed as respects all the other charges that were raised for making those improvements?—The account is still open, but it is hoped that it will be closed in the present spring. Bonds are falling due next May, and there will be nearly sufficient money in hand to meet those bonds.

1375. In the course of effecting those improvements, the Corporation purchased considerable property for the purpose of carrying them out?—Yes; leaving surplus property to be disposed of.

1376. Since the passing of those Acts, has much of that property been disposed of?—The whole of the property has been disposed of, with the exception of one house which the Corporation resolved on public grounds that they would not offer for sale.

1377. We are to understand that the whole of the property which the City acquired for the purpose of the improvements mentioned in the several Acts I have adverted to has been sold, with the exception of one house?—Yes, with the exception of the land on which a house and appurtenances have been built, abutting on St. Paul's Churchyard, on the south-east. The Corporation considered that if they parted with the site it would give an opportunity for placing a structure there that would shut out the view of St. Paul's, and on public grounds they determined to reserve that property. The house to which I refer is that round-faced house at the corner of Cannon-street, belonging to which is a basement, let to a warehouseman, and which basement is lighted by a circular aperture. It is supposed that the site will be a good position for a statue. We charge a ground-rent for the house.

1378. If I understand you rightly, the Corporation still hold the land on which the house has been built by the tenant to whom they have let it, and they also hold the piece of land in front of the house, which is now let out in cellarage?—Yes.

1379. With that exception everything else has been sold?—Yes.

1380. What has been done with the money which has arisen from those sales?—The various bonds and loans, beyond those mentioned in the Act, viz., temporary loans which the Corporation borrowed pending the arrangements for purchase, have been paid off, with the exception of one loan of 20,000 *l.*, to meet which there are nearly sufficient funds, and the account will be very nearly balanced.

1381. Those would be loans to carry out those improvements, in addition to those mentioned in the Act?—Yes. The Corporation borrowed money under their common-law powers till they could sell the property.

1382. If you took in the value of the ground-rent which they still retain, the accounts would balance?—Very nearly so.

1383. Since the Act of 1861 I believe Parliament has passed a law, imposing a charge upon this fund?—Another Act was passed in 1863, making a further extension of the coal duty from 1872 to 1882, and charging on the 4 *d.* coal duty an encumbrance of 600,000 *l.* for effecting the Holborn Valley improvements.

1384. Is that the only charge which has yet been imposed by Parliament, according to the 6th section of the Act of 1861?—That is the only charge; but I should explain that the Act of 1861 referred to any surplus accruing on the 10 years' duty ending in 1872. The 600,000 *l.* is charged upon an extension of 10 years' duty, from 1872 to 1882. As the figures show at present, there is not likely to be any surplus on the first 10 years.

1385. By the two Acts taken together, the Act of 1861 and the Act of 1863, the whole was continued as one fund, subject to the payment of the bonds I have already mentioned, and the surplus of the whole duty was to be applied to future improvements?—Yes.

1386. Therefore, in accordance with the provisions of the two Acts, the Corporation is to be at liberty to raise 600,000*l.*, for the purpose of effecting the Holborn Valley improvement?—Yes.

1387. Under the provisions of the Act of 1861, has the Corporation obtained a special Act for the purpose of raising the Holborn Valley?—They have.

1388. Have they proceeded to carry that Act into execution?—They have.

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1389. What have they done in execution of that Act towards raising the funds?—They have raised 512,100*l.* up to this date on account of the 600,000*l.*, and they have expended 335,250*l.* in acquiring the property. There is a cash balance invested of 150,000*l.*, and 26,850*l.* in cash, making 176,850*l.* as the difference between the sum raised and the sum expended.

1390. In what manner did the Corporation raise this money; was it by loan from bankers, or by the sale of its bonds in the open market?—By the sale of its bonds in the open market.

1391. At what rates of interest have those bonds been issued?—Four and a half per cent.

1392. Why do you consider it necessary to place all those bonds at 4½ per cent. interest so long before the money is wanted for the purposes of the improvements?—The money was not raised till the Corporation gave the notices, and then it became necessary that they should be furnished with the money; that is to say, that they should have the money to go to.

1393. They would seem to have a large balance of loan unappropriated?—They have a large balance of loan unappropriated, but money has ruled so high through the whole period, that the Corporation have made a profit, and they are at this present moment making a profit for the fund on all the balance they have in hand.

1394. By depositing it at a higher rate of interest than 4½ per cent.?—Yes.

1395. Have you made any computation as to the proceeds of the coal tax, having regard to its present or any future rate of increase for the period for which it is now sanctioned by law?—I have made a computation upon a three years' average of the duty, and adding an increase of 1,000*l.* a year, which I thought I might safely do during the whole period, we could raise upon a 10 years' extension of the duty from 1872 to 1882, 400,000*l.* or thereabouts.

1396. You mean that that is the value of it, taking money at 4½ per cent.?—Yes.

1397. What is the present value of the coal tax as now sanctioned by Parliament, estimated upon its present production?—I have not made the calculation that way, but I have assumed that if extended for 10 years it would be sufficient to meet its present charges, and leave 407,000*l.*

1398. Would not that be without taking into consideration any increase of annual production; would it not be sufficient, without any increase of annual production, to meet its present charges?—No, because when we gave evidence in 1863, Parliament charged 100,000*l.* upon the funds more than the then existing produce would justify. I gave evidence to the Committee that 500,000*l.* could be raised, but the amount inserted in the Bill was 600,000*l.* The increase since that period would bring the matter very nearly to the position in which Parliament placed it. As the Corporation stood in 1863, there would have been a deficiency of 100,000*l.*, but I now find that there will be no deficiency. The increased produce of the duty would about provide for that additional amount of charge.

1399. That is, if you take it at the rate established for the last year, 83,500*l.*?—I have taken it not so high as that.

1400. At what rate have you taken it?—At 78,000*l.*, to start with. I took the duty at 78,000*l.*, and assumed that 1,000*l.* a-year would be the increase. I thought that was going as far as I could, considering that we are going to pledge credit. Although I believe that the increase may be more than that, I thought that was as far as I could safely advise a Committee of the House to go.

1401. Therefore, as the account stands at present, you are of opinion that the coal tax already sanctioned, having regard to the increase of its produce, will be sufficient to pay all the charges which Parliament has imposed upon it?—Yes.

1402. Did you make any application to the Government to have the assistance of a Government guarantee in raising the charge upon the coal tax, in the same way that the Metropolitan Board of Works did?—I think we made an application of the kind; but we were not so encouraged by Mr. Gladstone as to renew the applications.

1403. Therefore you are borrowing money upon the coal tax at 4½ per cent., while the Metropolitan Board of Works are borrowing money at 3¾ per cent., I think?—Yes. There is no doubt that, with a Government guarantee, the money could be raised somewhat cheaper. I should correct that statement, by saying that not all the moneys are borrowed at 4½ per cent. The last moneys were borrowed at 4½ per cent.; but the former loans were borrowed at 4 and 4¼ per cent. It is lately that the rate has increased.

1404. Mr. *Locke.*] You say that the coal tax will be sufficient to meet this expenditure on this improvement at Holborn Valley?—To meet the present charge under the Act of Parliament, but not to meet any excess of expenditure upon which Mr. Fry, the chairman of the improvement committee, has given evidence. It would not be sufficient to meet that extra expenditure, but it would be sufficient to meet the 600,000*l.* which has been placed upon that particular duty by Parliament.

1405. How do you propose to meet the extra charge for the Holborn Valley Improvement?—The Corporation addressed themselves to the Government, that is to say to Mr. Cowper, and suggested that in conjunction with the Board of Works the coal duty should be extended for another ten years. That would enable them to meet any deficiency in the Holborn Valley Improvement, which will arise from the increased value of materials and labour, and enable them to complete that improvement by introducing some access to the viaduct, which would make it a much more complete improvement; and we submitted to Mr. Cowper that we should want about 415,000*l.* to make these additional streets and to meet that increased expenditure, and that as the value of the 4*d.* coal duty was about 407,000*l.*, there would be a very small deficiency, if that arrangement were made; in fact, only such a deficiency as the Corporation would very gladly provide.

1406. Have you agreed upon a plan for that improvement yet?—I believe the plans are agreed upon, not in minute detail, but generally. They have been approved by a committee of the corporation, the improvement committee.

1407. Those will be the plans which you think the Corporation will ultimately agree upon?—They will. I should state that the universal practice has been hitherto, first to charge the improvement upon some particular tax by a Resolution of the House, and then in the following Session to bring in the detailed plans, and serve notices. We have followed in this matter the practice which has been invariable hitherto.

1408. Does

1408. Does the Corporation take down many houses for the purpose of this improvement?—A good many.

1409. Then of course they will have the ground upon which those houses stood?—They will have some surplus ground.

1410. The ground rents of course are very high?—Yes.

1411. I suppose not so high in that part of the City as in other parts?—The rents are not so high there as towards the centre of the City.

1412. Not nearly so high, I suppose?—No.

1413. Not one-fifth. I do not know what the proportion is.

1414. Property there would not be one-fifth of the value, would it, of property for instance in Cornhill?—Probably not.

1415. Nor in Birchin-lane, or any of the adjoining streets?—I can only speak from guess upon that; it is not in my department to value the property or to purchase it.

1416. Property in the city has increased in value to a great extent, more especially in the centre, has it not?—Yes, in all parts, particularly in the centre.

1417. Round the Royal Exchange, and to a certain extent in Fenchurch-street and Leadenhall-street and Gracechurch-street, and throughout the City generally?—Yes.

1418. It has increased to this extent, I believe, that the rack-rent of a house when the lease now falls in becomes the ground-rent; persons covenanting to re-build upon the site pay for that site as much as they paid for the house before; there are many instances of that, are there not?—I think it is possible that there have been such cases, but I could not speak of them from my own knowledge.

1419. Are you aware that property has increased in value even to a greater extent than that, round about the Royal Exchange?—There has been a very considerable increase I know.

1420. Are you aware that that has taken place even in Fenchurch-street?—I believe it extends as far as Fenchurch-street.

1421. With regard to your expenditure upon this improvement, has any estimate been made as to the probable sum that the Corporation may receive from these ground-rents, in the first instance?—I can only say, generally, that the architects employed estimate that they will have to give a great deal more for the property than they estimated in 1863, and that they calculate upon selling at a higher price than they did in 1863.

1422. I believe the course that the Corporation take is this, they do not build themselves?—They do not.

1423. They let the ground on building lease, in the first instance?—Yes.

1424. And then they sell the ground-rent?—Yes, with a reversion.

1425. That was the course pursued with regard to the London Bridge approaches?—I believe that is their universal practice.

1426. How many years' purchase do you get now?—We have not been selling property very recently: we have been rather clearing ground recently, therefore I could not answer the question.

1427. I believe that in the London Bridge approaches the number of years' purchase was 32?—It has ranged as high as 32 years, and it has gone down as low as 22 years; it has varied in different years, and for different localities.

1428. I believe all round about King William-street it was 32 years' purchase, was not it?—There was a good deal of property sold at 31 and 32 years' purchase near London Bridge.

1429. In your calculation, when you say that this sum of money will be sufficient to make the improvement, has any consideration been given as to the extent to which the Corporation may recoup themselves in disposing of the ground which they take, and as to whether there will be any benefit derived from that?—I can only give a very general answer upon that subject; it is really a question for the valuers and architects whom the Corporation employ. I know, from what has passed in committee, that there is an idea that very much larger sums will be required of the Corporation for compensations, not only in consequence of the rise in value of the property, but in consequence of two decisions which the Recorder has recently given in the City court, both of which are very favourable to persons to be compensated.

1430. They are favourable to claimants?—Yes, they are favourable to claimants in the City, and one of them will operate very favourably to claimants all over the metropolis.

1431. What is that decision?—The decision is to this effect; that the jury is to take into consideration not only the value of the property to be taken, but the expenses which the parties will be put to in finding premises elsewhere in the City. That, of course, will be an element that will very much increase the verdicts.

1432. Is that a new decision by the Recorder?—It is quite a recent decision.

1433. He has laid it down that that shall be the mode of arriving at the amount of compensation?—Yes, if I am rightly informed.

1434. But has not it been a subject that has always been urged by counsel in compensation cases, especially in the City, and more so there than anywhere else, that when you take a man's property you are depriving him of his market, and that it is utterly impossible for him to get premises in any other part of the City that would answer his purposes equally well?—It had been urged by counsel, but it had never before, I believe, been ruled by a judge, in addressing the jury, as an element that they were to take into consideration.

1435. Probably it has been acted upon by juries?—It may certainly have had some influence on the minds of the juries, but now the Recorder has laid it down, and although the Corporation has appealed against his decision, it has been confirmed by the court above.

1436. It has been confirmed by the Court of Queen's Bench, has it not?—Yes, and it will no doubt affect the purchase of property; we shall have to pay greatly advanced rates in future.

1437. I believe, with regard to all the improvements in the City, as far as I can recollect, the improvement committee consider that they never have recouped themselves for their outlay on taking property?—I think there was only one case in which they recouped themselves, and that was in the formation of Moorgate-street. It is really not in my department, but I have always understood that the balance upon the account was about the same when Moorgate-street was completed as it was when it was commenced. It was a street cut through back property entirely, and it became a first-class street.

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1438. With regard to Cannon-street, I believe that has not answered?—There has been a deficiency in Cannon-street.

1439. Although the ground has let for a great deal more than it would have let for before?—Yes.

1440. In the formation of a street there is a certain proportion that must be given up for widening the roadway, and so forth; and although the property on each side of the street is much more valuable after the improvement than the houses were before, still the portion of land which the Corporation have to abandon, having had to pay for it, costs so much that what remains does not recoup them?—That is the case, I believe, in almost every improvement.

1441. With regard to Moorgate-street; that was very inferior property, comparatively, before the improvement?—It was inferior back property, and by the improvement a frontage was obtained all along the line for a first-class street; that was an exception.

1442. That improvement did pay?—It did.

1443. With regard to Wellington-street, of course that did not pay?—No; the large sums of money that have been charged upon the coal duty all the way down from 1830 to the present time, represent the amount that has been so expended: and with regard to making improvements, I may add, that there is not only the difference between buying and selling, but rent and taxes, and interest on money, and all sorts of charges; surveying charges and lawyers' charges, and all others, during the interval, that have to be taken into account.

1444. Mr. Alderman *Lawrence.*] You have been asked various questions with respect to the land, and the cost of various improvements, but I believe you are better acquainted with the value of money than with the value of land?—I have more to do with it, in my department, a great deal.

1445. But I believe that the great rise in the value of property in the City of London has involved all improvements in a larger expense; even although they may have obtained a larger amount for the land they have let than they otherwise would have done, yet the extra expense of obtaining it has caused the cost of improvements to be larger than when property was of less value?—I can hardly say that that is the case at present, but I think it is very likely that it will be the case. As we buy a more costly article there will be more risks in selling it; but I can hardly say that our experience up to the present time proves it, for we have been buying, not selling, recently.

1446. You have been asked whether in many situations the rack-rent of the property has not become now the ground-rent; are you not aware that in some improvements which have been carried out in the City (I allude to Skinner-street and Snow-hill), the very ground-rent became the rack-rent when the leases fell in?—I have heard of such cases; I do not know the fact myself.

1447. I think you have been examined before several Committees of this House with respect to the coal dues, and you are perfectly acquainted with the coal dues, their various charges, and the various Acts of Parliament under which those charges have been made?—Yes.

1448. Are you able to state what took place in 1830, when the charge was made in respect to the 4*d.* duty of the corporation?—In 1830 a Committee of the House of Commons sat upon the subject, and a change took place, by which the Corporation duty was varied from a duty on the chaldron to a duty upon the ton, which alteration has continued in operation ever since.

1449. At that time (that is to say, in 1830) did the Corporation of London prove its title to the 4*d.* coal tax?—It did, before the Committee of 1830.

1450. Will you state how?—This is a portion of the Report of that Committee: "The City of London is entitled, as shown by the evidence, by prescriptive right, confirmed by charter and Act of Parliament, to 4*d.* per chaldron on all coal measured, or 8*d.* per ton on all coal if weighed, in the Port of London. Out of this fund is provided a payment of 1*d.* per chaldron to the shipmeters, and the expense of the vats and other apparatus for measuring coals. The surplus of this fund, amounting to about 16,000*l.* a year, is applied to the general purposes of the corporation. In respect to this payment, we recommend, with the consent of the Corporation of London, that whatever they are now entitled to on a chaldron should be collected on a ton in the proportion which the one may be found practically to bear on the other. And we also recommend, for the general accommodation of the trade, that the payments now made at various places for bailage, groundage, Lord Mayor's permit, and coalmeter's office should be consolidated with it, and a single charge be made per ton, according to some just proportion." The result of that recommendation was, that 4*d.* a ton was given to the corporation by an Act of the next Session, instead of 4*d.* a chaldron. That 4*d.* a ton was to include all the charges which the corporation were then receiving.

1451. Have the rights of the City of London been reserved in every Act of Parliament which has been passed since that time?—They have, down to the present Act.

1452. Are you perfectly acquainted with what has been called the Duke of Richmond's shilling a ton?—The Duke of Richmond was at that time, that is in 1830, entitled to one shilling a chaldron on all coals coming out of Newcastle. By a recommendation of that Committee that right was bought up, and the Duke was compensated. He was entitled to that duty upon a charter of Charles the Second. The Corporation are entitled to their duty by a charter of James the First, which recited that they had always had the duty prescriptively. The Duke of Richmond's shilling was purchased by the Government in consequence of the inquiry which took place in 1830.

1453. Sir *Matthew Ridley.*] Do you recollect the amount that was paid to the Duke of Richmond for compensation?—I do not recollect it. I have an impression that it was 100,000*l.*, but I speak quite from memory.

1454. *Chairman.*] It was about 100,000*l.*?—That was my impression.

1455. Mr. Alderman *Lawrence.*] The compensation of course depended upon the amount of the tonnage of coals that were exported from Newcastle at that date?—Yes.

1456. You consider that the title of the Corporation to their 4*d.* duty rests, if I may say so, upon a much stronger foundation than even the Duke of Richmond's title to the 1*s.* a ton upon all the coals from Newcastle which Parliament compensated him for?—It rests upon a different title in this respect: that the prescriptive title of the City was confirmed by the Charter of James the First, which is recited in the Act of Parliament

ment; and it has been confirmed since the reign of James the First by an Act of Parliament, whereas the Duke of Richmond's title was simply based upon a charter granted by Charles the Second.

1457. The City, in addition to their charters, have Acts of Parliament confirming these charters, have they not?—Yes; I may state that in 1861, in the Committee which was presided over by the honourable Member for the Tower Hamlets, the City again proved their title. They put in evidence, and it was not disputed by the Committee.

1458. I believe the Corporation have always been willing to charge this coal duty for the raising of sums of money to make improvements in and very near to the City of London, according to the words which are in the present Act; but they have at all times carefully preserved what they considered their special rights to this 4 *d.* duty?—Since about the year 1858, the Corporation, finding the coal duties increased, set aside a considerable portion of it for improvements in connection with the City. That is how the Cannon-street improvements first commenced. Since 1861, they have consented that the whole duty, after paying the expense of collection and drawback, shall be applied to metropolitan improvements; but they have carefully sought and obtained saving clauses, because they still consider it their property, and they consider that they ought to be consulted as to the disposal of it in the future: and it is the intention of the Corporation accordingly to claim, as they do at present, on the occasion of any dealing which may take place in the coal duty, that the reversion of it belongs to them, as their property, though they are quite ready, as public spirited men, to see it expended in widening the streets of London, which are so inconveniently crowded with traffic.

1459. You are conversant with the facts as to the population of the City of London; you know the population, I presume, according to the census?—No census has ever been taken accurately of the population of the City of London, except a night census, when the trading inhabitants have all left the City. The only existing figures for the real population of London are those which were taken by the late Commissioner of Police, who ascertained the number who resorted to the City in the daytime for business, and showed it to be about 700,000 persons frequenters and occupiers of premises in London, who visit the City daily for business. The Committee must be aware that the City is deserted at night to those who have simply the charge of the premises. There is no census of the population in the daytime. It is the intention of the Corporation to take a census some day, because it becomes a matter of importance to ascertain how many bankers, merchants, traders and others, are carrying on business in the great centre of commerce.

1460. Then if the same census which is taken for convenience at most places at 12 at night, were taken at 12 at noon in the City of London, do you imagine that the population of the City would represent something like a fourth of the population of the metropolis?—Yes, I presume that about a fourth of the population included in the metropolitan area are engaged in business in the City in the daytime. A night census is perfectly fallacious for the purpose of ascertaining the population on the property of the City; it would mislead any legislation that was based upon it.

1461. Are you aware that the rental of the City of London will shortly be something like a sixth of the rental of the whole area under the Metropolitan Board of Works?—The rateable rental of the City is very rapidly increasing as re-valuations go on; it exceeds 1,500,000 *l.* now, and I find that the Schedule A. valuation for the income tax increases it considerably above 2,000,000 *l.*; that would be nearly a sixth of the rateable value of the metropolitan district.

1462. The City of London, I believe, is represented at the Board of Works by three members; was it ever considered, at the time that those three members were appointed, that they were a fair representation of the City of London in proportion to the rateable value of the property or its population?—The Board of Works was constituted for the purpose of effecting the main drainage; and I have no doubt that the number of representatives which was given to the City of London had reference to the very small geographical area of the City, and had no reference at that time to its rateable value or population, or otherwise the proportion would have been varied. The Board of Works is now a taxing power to a great extent, and there is no doubt that the question of population and rateable value for taxation must be considered in any future constitution of that Board, or in any future legislation that has reference to the taxing of London. The questions of taxation and representation, as associated with one another, will have to be reconsidered. Geographically, the City of London is not quite two square miles; but, geographically, the surrounding district under the Metropolitan Board of Works is 117 square miles. I apprehend that the three members who were sent from the City of London had reference to the small distance through which the intercepting sewer would have to be driven, and had not reference to those large powers for making streets and embankments which have since been entrusted to the Metropolitan Board of Works.

1463. But if it had its fair representation, the representation being adjusted on the footing of taxation, you consider that the City would be entitled to three times its present number of members?—Yes; because the inhabitants who make their money in the City, if they are credited to the City, would have to be debited to the surrounding district, where they merely pass the night.

1464. *Chairman.*] Will you be good enough to hand in an account of the 9 *d.* coal duty and the wine duty?—I have an account here of the receipt and expenditure of the 9 *d.* coal duty and the wine duty, which I will hand in (*the same was handed in*—vide *Appendix*).

1465. Can you give the Committee a statement in detail of the charges and expenses of management of those duties?—I have not an account with me.

1466. Perhaps you will furnish the Committee with it?—I will do so.

1467. With reference to the fund that is mentioned in this Act, the London Bridge Approaches Fund, are all the charges of that fund satisfied?—Yes.

1468. There are no moneys to pay at all in respect of that?—Not at all.

1469. And you do not know anything of the Metropolis Improvement Fund; you do not keep that?—

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that?—The money has been handed by me to the Lords of the Treasury, and after that I have no account of it.

1470. I mean that the formal account under the Act of the 8 & 9 Vict., the Metropolitan Improvement Account, was not kept by you, but by the Chief Commissioner of Works?—That account was not kept by me, but by the Chief Commissioner of Works.

1471. You only paid the money over to the Chief Commissioner of Works?—Yes.

1472. And are not cognisant of the details of that account?—No.

1473. The London Bridge Approaches Account was an account kept by yourself as Chamberlain?—Yes; I rendered the account to the Lords of the Treasury, and they were satisfied with it, and ordered me to pay the money over to them; and they paid it over to the Metropolitan Board of Works.

1474. The charge for London Bridge itself has not yet been paid off, has it?—The charge for London Bridge is not a charge upon the London Bridge Approaches Fund, but upon the Bridge House Estates.

1475. That is not paid off yet?—No.

1476. But it is no charge upon the Approaches Fund?—No.

1477. Mr. Alderman *Lawrence.*] There is no charge upon the coal tax remaining for the London Bridge Approaches Fund, is there?—Not any.

1478. Mr. *Locke.*] How is it that you say that the Corporation have this coal tax in reversion; I see by the second section of the 24 & 25 Vict. c. 42, "All duties authorised by the Coal Duties Acts, or any of them, to be levied upon coal, culm, and cinders, shall continue and be levied in the same manner in which the same are now leviable until the 5th day of July 1872, subject to the following qualification; that, notwithstanding anything contained in the said Acts, no duties shall be payable in respect of any coal, culm, or cinders, unless the same is contained in some ship or vessel arriving at her moorings within some part of the Port of London, to the westward of Gravesend, within the limits of the metropolitan police district as defined by Act of Parliament, or be brought by railway, or by inland navigation, or by some other mode of conveyance within the said limits of the metropolitan police district, including the Cities of London and Westminster." By that Act it would seem that the right to levy this coal duty of 4*d.* is continued to the 5th day of July 1872?—Yes, in that form.

1479. Then they would not be able to levy it any more, would they?—Yes.

1480. Why?—Because there is a protective clause.

1481. Where is that?—Clause 10 reserves the rights of the Corporation, which will survive after this Act.

1482. You refer to this: "Subject to the provisions of this Act, the said Act of the Session of the fifth and sixth years of the reign of King William and Queen Mary, chapter 10, so far as relates to the levying of the said Wine Duties and the said Coal Duties Acts, and all matters therein contained, shall be continued until the 5th day of July 1872; and all the provisions contained in the said Act of the Session of the first and second years of King William the Fourth, chapter 76, to take effect at the end of seven years therein mentioned, shall take effect as if the 5th day of July 1872 had been inserted in the said last-mentioned Act instead of the said term of seven years"?—Yes. I should explain that the Act of the first and second of William the Fourth contains a protecting clause, and this clause carries that protecting clause on until the end of the period for which the duty was continued; and therefore if this Act is allowed to expire the Corporation revert to their original rights, which are such as I have spoken of as being granted to them by charter.

1483. Then it stands upon the question whether their original right was a good right or not?—It has never been disturbed; it has never been successfully questioned. It has been examined in both Houses of Parliament; and I think it is only fair to the Committee to state that the Corporation would not submit to interference with that title unless they had the protective clause again inserted, because they have mortgaged that right to creditors, and they think they are honourably bound to maintain it as long as they can.

1484. You say that these Acts of Parliament make no difference with respect to the right of the Corporation to that 4*d.*, except during the time in which they are in force?—Exactly; they were the result of an arrangement between the Corporation and the Government who brought in the Bills with the consent of the Corporation, that they would apply the duty to useful public purposes for a limited period; but that if at the end of that time the duties were not continued in that form, then the Corporation rights would revive again, and the creditors upon their property should not be deprived of the value, whatever it might be, of those rights.

1485. What I understand is this that the Acts of Parliament make no difference; they do not interfere at all with the rights?—No; they suspend our rights for a limited period, but the rights are to revive again at the end of that period.

1486. The question is what those rights are?—Yes.

1487. *Chairman.*] Are you aware that what is called the Duke of Richmond's Shilling was part of the land revenue of the Crown, granted out to the Duke of Richmond, and that in consequence of that and other similar grants an Act of Parliament was passed preventing the Crown from granting away any of its land revenues?—I believe it was a part of the land revenue of the Crown, and the duty of 4*d.* was also part of the Crown revenue; it was granted by the Crown originally.

1488. Have you any authority for saying that the 4*d.* was a part of the land revenue of the Crown?—I cannot say that it was part of the land revenue of the Crown; it was part of the revenue of the Crown, or else the Crown could not have parted with it.

1489. I ask you whether you have any authority for saying that that very duty of 4*d.* was ever part of the land revenue of the Crown?—I apprehend it stands in precisely the same position as the duty granted to the Duke of Richmond; one was a duty leviable in the port of Newcastle, and the other in the port of London.

1490. Are you quite sure that you are accurately informed upon that matter?—I entertain no doubt upon the subject.

1491. You think it was a part of the land revenue of the Crown; a duty upon coals raised in Northumberland, payable in the port of Newcastle?—

castle?—It was an export duty payable at the port of Newcastle; the other is a metage duty payable in the port of London.

1492. Are you quite clear as to those facts?—I have no reason to doubt that the facts are as I state it.

1493. Mr. *Locke.*] But this 4*d.* was given for a particular purpose, was it not, namely, to recoup the Corporation for measuring the coal?—It was accompanied with a duty of metage, but in 1830, when Parliament abolished the metage, the Corporation took upon themselves the compensation to the meters; that was a part of the arrangement; it was then 21,000*l.* a year.

1494. Mr. *Mill.*] Was that duty of 4*d.* in the Port of London ever levied by the Crown for its own benefit?—The Charter of James recites that the Corporation had always possessed the right, and confirms the grant of the 4*d.* duty. Therefore, the charter assumes that the Crown had an ancient right from time immemorial, and that it had been anciently granted to the City, and it confirms it in the reign of James I., when there had been some dispute as to the rights of the City and the Crown.

1495. But the Crown had never exercised the right for its own benefit, had it?—Not within recent or modern times; but the grant assumes that it was a right of the Crown in ancient times. I have the words of the charter here, if the Committee like to see them.

1496. I presume that the Crown claimed a right to levy taxes at that time without the consent of Parliament?—I think that at that time the Crown did exercise its powers in a way in which they would not be exercised now; but it is a right of property acquired in those times, like all other property which has come down from those times.

1497. So that the Crown claimed a general right of property in a tax, of which right of property it had never had the beneficial exercise within the memory of man?—Not within recent times.

1498. So that it was by construction of a general prerogative of the Crown, that it was supposed that what the Crown conceded or confirmed to the Corporation had previously to that belonged to the Crown?—Yes; I should state that Charles the Second seized the charter, and subsequently exercised the right himself for several years; but that an Act of Parliament was passed confirming all those charters to the City in the reign of William and Mary, and stating that the City ought not to have been interrupted in the enjoyment of those rights.

1499. *Chairman.*] Is not the charter you are speaking of a charter for the Corporation of London to perform the duty of measuring coal, and to receive a remuneration of 4*d.* for the discharge of that duty?—It is a duty connected with the measuring of coal.

1500. Has that any possible analogy or resemblance to a part of the land revenue of the Crown received by the Crown for its own benefit, and afterwards granted away to a subject?—I believe that the Duke of Richmond's Shilling had also some origin of the kind connected with it; it was in some way connected with duties performed in the Port of Newcastle.

1501. Are you not aware that that part of the land revenue of the Crown in Newcastle arose out of a question of the right of the landed proprietors to work mines in Northumberland, and that by way of an adjustment between the landed proprietors mining in Northumberland and the Crown, a sum was fixed to be paid to the Crown by way of tonnage upon all coal?—I am not particularly aware of how the one shilling originated.

Mr. Alexander Fraser, called in; and Examined.

1502. *Chairman.*] What is your business?—I am the Manager of Messrs. Hanbury's brewery.

1503. Are they large consumers of coal?—Very large.

1504. About what is the amount of coal consumed by them?—Between 8,000 and 9,000 tons a year.

1505. Are their premises rated to all the local taxes of the neighbourhood?—The whole of them.

1506. As well as to the tax levied by the Metropolitan Board?—Exactly.

1507. Do they, in addition to that, pay a tax of 13*d.* upon all the coal they consume?—Yes, upon all the coal they consume.

1508. That amounts to a considerable sum as an incident of their business?—Between 400*l.* and 500*l.* a year.

1509. So that for all metropolitan and local purposes they pay a much larger amount of taxation than other persons whose business does not require the consumption of coal?—Yes, to the amount of the coal tax.

1510. What do you think of the incidence of the coal tax as it affects the householders as well as the larger consumers?—The amount of coal used by the poor people of Bethnal-green is bought in very small quantities, and I should have difficulty in giving a direct opinion as to how the coal tax affected the price, because they buy it in such very small quantities, from ¼ to ½ cwt. I hesitate in giving an opinion as to how it affects the price they pay.

1511. Do you consider that it is enhanced to the consumer in the same way that the other charges are?—Certainly.

1512. They pay more than the net sum of 13*d.*?—I think so. Perhaps I may be allowed to make a statement connected with this question. I took an active interest when the Corporation Bill was renewed some time since in getting this tax, as far as the manufacturers were concerned, remitted. I was connected with a number of sugar refiners, but principally with a large number of paper makers, upon whom the tax falls very heavily indeed. We believed that it would have resulted in relief being given to the manufacturers of the metropolis, but we consider that the Corporation with great skill reduced the area of taxation, and so weakened our opposition by relieving a large number of the paper makers, by which our hands were, to a certain extent, tied.

1513. In consequence of that change will the injustice be greater upon those who are within the circle of taxation as compared with those who are without it?—It is much greater to the paper makers than it was before. I believe it will be found that the new area of taxation is bounded by an imaginary line, which divides a number of mills; and, in one case, it actually cuts one mill in

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in two, so that the coals used in one boiler pay the duty, and the coals used in another boiler do not pay the duty.

1514. Then, from the opportunities you have had of learning the opinions of the trades that consume coal largely, is it your belief that this tax is regarded as oppressive and unjust towards them?—As a very great hardship. I especially refer in London to the sugar refiners, some of whom are using from 20,000 to 30,000 tons of coal in the year. They have to pay this duty.

1515. This duty, therefore, is a charge either upon the employer or the people employed, or, at all events, upon the fund that is common to both of them?—Yes.

1516. Mr. Alderman *Lawrence.*] You have attended to the sugar refiners and to the paper makers, but your coals are consumed on the manufacturing of beer?—Yes.

1517. And a charge upon the coal tax, that is, the money raised, is used in making improvements in this metropolis. You are aware of that, I presume?—I cannot speak positively as to how it is used.

1518. Are you not aware what the money raised by the coal tax is expended upon?—No, I cannot speak certainly as to that.

1519. You are aware that improvements have been made in London, in New Oxford-street, and the streets leading into Leicester-square, and Commercial-street, Whitechapel, and the building of London Bridge. Are you aware that all those improvements have been made by charges upon the coal tax?—I was not aware of that.

1520. Those improvements, of course, involve the employment of a large number of workmen to carry them out?—A very large number.

1521. Those men consume beer, I presume?—As a general rule, they do.

1522. The greater the improvements, and the larger the number of workmen employed in this metropolis, the greater the advantage to the manufacturers of beer; is not that so?—That is partially true. But you must remember that these improvements clear out very large neighbourhoods, where the inhabitants would have consumed the beer if they had been allowed to remain.

1523. When you say that these improvements clear out very large neighbourhoods, is it not the case that as the inhabitants must live somewhere, they are driven to other neighbourhoods, and if driven from one brewery, they fall into the hands of another brewery, I presume?—I cannot make out where they go to.

1524. If one publican does not supply them with beer, I presume another does?—Very likely.

1525. Therefore, as far as the brewers of London are concerned, they have less cause of complaint by far as to the incidence of the coal tax than the manufacturers of sugar or the manufacturers of paper?—I apprehend the workmen would require sugar as well as beer. If a large number of workmen are employed in the improvements, they would require a certain proportion of sugar as well as beer.

1526. I believe your premises, in common with the premises of all the brewers of this metropolis, have been largely extended within the last few years?—Yes.

1527. And the power of manufacturing beer has been greatly increased by the whole of the breweries in this metropolis?—By some of them.

1528. By the majority?—I should think not.

1529. Has not the consumption of beer throughout this metropolis, as a whole, increased to a very large extent within the last 10 years?—To a very large extent, but that is, a great deal of it, owing to beer being brewed at Burton-on-Trent, which is brought into the market without having had to pay the coal tax.

1530. Do you apprehend that it is the cheapness of the beer brought from Burton-upon-Trent, rather than the peculiarity of the manufacture, that has caused its consumption in this metropolis?—A great deal of the article is not at all peculiar to Burton-on-Trent; but the brewers at Burton are released from the incidence of taxation, which we feel very heavily in this metropolis.

1531. I believe the breweries at Burton-upon-Trent at first manufactured the article mainly for the Indian market?—I cannot speak positively as to that.

1532. It was afterwards introduced into the London market, and the taste of the metropolis altered to this bitter beer; was not that so?—The manufacture commenced in London; the proprietors of the Bow Brewery were the people who first introduced the article, and first drew attention to its importance.

1533. Does the price of beer depend upon the price of malt and hops; may not there be a large rise or fall in the price of those articles, without any corresponding rise or fall taking place in the price of beer?—The amount of profit depends entirely, of course, upon the cost of the article.

1534. But do the public generally get either the benefit of a fall, or do you charge them with a rise, in case of a rise or fall in the price of the articles which the beer is manufactured from, the malt and hops?—We have attempted, when an article has been greatly increased in price, to get a larger price for our manufacture, but have been always unsuccessful.

1535. Supposing that the coal tax were removed to-morrow, do you think that the inhabitants of this metropolis would reap any advantage in the price of beer from the various breweries supplying them now with that article?—I do not think they would.

Henry Pownall, Esq., called in; and Examined.

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1536. *Chairman.*] You are a Justice of the Peace for Middlesex, and, I think, the Chairman of the Quarter Sessions?—Yes.

1537. Are you the chairman, also, of the assessment committee of the county rate?—No; I have, as chairman of the court, sat upon the five committees which have been appointed.

1538. You have been chairman on five occasions when special committees have been appointed for considering the assessment of Middlesex?—No, but I have been upon all committees for the county rate.

1539. Will you explain to the Committee the principle upon which those committees have acted in assessing the property in the metropolis to the county rate?—Prior to 1846 the parishes used to make their return to the quarter sessions. By the last return which the parishes made, the assessment

assessment for the county was 6,367,317 *l.* The first committee that was appointed under the Act of Parliament empowering the magistrates to make the rate was in 1848. They raised it to 7,754,330 *l.* The next committee was appointed in 1855, the rate was then increased to 8,427,336 *l.* The next rate was in 1858, when it was increased to 9,160,020 *l.*; and the last committee that sat was in 1864, when the rate was raised to 11,138,455 *l.* The county rate in 1866 was 3 *d.* in the pound. In 1848 an Act of Parliament was passed by which the magistrates were obliged to make a separate rate for the county lunatic asylums. The county rate, therefore, in that year was only 2¼ *d.* in the pound, and the lunatic rate was ¼ *d.* in the pound. In 1858 the county rate was 2 *d.* in the pound, and the lunatic rate 1¼ *d.* That was the year in which the new asylum at Colney Hatch was built, which increased the rate. In 1864 the county rate was 2¼ *d.* in the pound, and the lunatic rate 1¼ *d.* The mode in which the county rate was arrived at was this: we first called upon all the parishes to send us a copy of their assessment. We then wrote to the Inland Revenue Office, requesting a copy of the Return of property tax for the county. We then compared the two, and when we found any serious discrepancy went carefully through the whole rental, and came to the conclusion that the property tax, being the amount which the parties had returned themselves, was the proper estimate of the assessable value, and we therefore chose that in preference to the parochial assessment. In the early years when we had gone regularly through the assessment in that mode, we deducted 10 per cent. for empty houses. Some of the parishes complained that that was too much in some parishes, but too little in others. Hammersmith thought themselves much aggrieved, and they brought their case into the Court of Queen's Bench, and the Court held that we were wrong in making any deduction whatever for empty houses, and the consequence was that in the subsequent rates, that is in 1864, we made no deduction whatever for empty houses. That will account in some measure for the large increase that took place in the rental at that time. The rate in the pound is much the same as it has been for the last 30 or 40 years, but the amount collected has very much increased. The amount collected in 1849 was only 96,699 *l.*, whereas the total amount collected and expended in 1864 was 183,479 *l.*; but all the county establishments have increased in proportion to that; and during periods to which I have alluded we have been under the necessity of expending upwards of 450,000 *l.* for the Lunatic Asylum. We have also had to add considerably to the prisons, and have built an industrial school at Feltham, which has been equal to an expenditure of very nearly 50,000 *l.*; but the amount of the expenses of that establishment, I think are more than compensated by the saving that has accrued in the prosecution of juvenile offenders; for, prior to the building of that institution, the number of offenders committed under 16 years of age in Middlesex was 4,113, whereas in 1862 it had dwindled down to 1,511. It is not too much to say that on every one of those committals the expense of trying the cases was not under 2 *l.* per head; consequently the expense of that establishment has been more than saved in the expense which used to be incurred in their prosecution, to say nothing of the amount of depredations which those juveniles used to commit while they were at large. In 1848, the number of prisoners in Coldbath-fields was only 1,234, and at Westminster 798. Their cost of maintenance at that time, for the food only of each prisoner, was 1*s.* 10¼ *d.* a week; it was the same at both prisons. The Lunatic Asylum at that time only contained 963 lunatics; their food cost 4*s.* 7 *d.* I will not weary the Committee by going through all the numbers, but the number at Coldbath-fields last year was 1,794, and we had 207 prisoners farmed out to other counties, our own prison not being equal to the accommodation. The number of prisoners at Westminster prison was about 700, but we had removed all the boys and males from Westminster to the House of Correction at Coldbath-fields, whereby a saving of about 2,000 *l.* a-year in the outlay on the prisons.

1540. To come back to the question of fixing the rate; what is the principle upon which you made deductions from the gross rental or estimated rental, for the purpose of ascertaining the rateable value of the parish; on the last occasion you say you did not make any deduction for vacant premises?—No. We based it upon the property-tax which includes empty houses.

1541. What deductions did you make in other respects?—We deducted from the property tax everything not chargeable to the poor rate. We did not take the gross rental of the parish, we took the rateable value. (*Vide* Appendix).

1542. I understood you to say that you took the amount as returned for income tax?—Yes, and of course that income only related to the house property; and in that return there was no deduction anticipated or asked for, or expected, except such as were not chargeable to the poor rate.

1543. The property tax does not allow of any deduction from the gross income of landed property?—No; and therefore we made none; in several of the parishes, of course, the property tax differed very widely from the rate of the parish. That was the case in Paddington, for instance, because there the Great Western Railway Company would appear for their profits in the schedule of the property tax, but in the rate book of the parish the amount only applied to the plant, if I may use the phrase.

1544. The rateable value?—Yes.

1545. But you mean to say that in the ordinary cases you made your assessment upon the rack rent, without any deductions at all, for keeping up the premises?—We made a deduction of 10 per cent. from each parish.

1546. How did you arrive at the rateable value; because the property-tax return is the rack rent, is it not, without any deduction?—We arrived at the annual value from the property tax, which is the net rent paid.

1547. But it is the rack rent without any deductions?—Not the rack rent in every column of the rate book; there is, first, the gross rental; then there is the rateable value, after making the deductions, and those deductions depend a great deal upon circumstances; for instance, if a tenant has taken a lease, and given a premium for it, generally there is added 7 per cent. to the amount of rent for the premium which he has given; secondly, if he is bound to insure, the insurance is added to his rent, and if he is bound to repair, then we take an average of what those

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repairs will be and add that amount to the rent, so that if an individual agrees to pay 150*l.* a-year rent, that is not actually the whole that he will be assessed at, for you must add the insurance, you must add the repairs, and you must add an amount representing any premium which he may have given.

1548. But still I do not get from you yet clearly from what basis you started in fixing the assessable value of the parishes?—We generally took the deduction which the parishes make from the gross estimate to arrive at the rateable value, which we found to be generally from 10 to 15 per cent.

1549. Then you allowed that?—Yes.

1550. For the gross estimated value of, if I understand it rightly, you took the return to the income tax in many cases?—We compared the rateable value with the return to the income tax; and when the rateable value, we will say, was 150*l.*, and the return to the income tax was 180*l.*, we took the 180*l.* as being the individual's own return.

1551. Would not the return to the income tax be the rack rent without any abatement at all, and would not the assessable value of the parish be the rack rent, less a deduction of 10 or 15 per cent. to cover certain outlays; did you adjust those two?—We adjusted the two generally by taking the property tax, which is made by the occupier. I think the property tax is more frequently taken from the rateable value and not from the gross value.

1552. You believe that it is not the rack rent that is returned to the income tax as it ought to be, but only the rateable value?—It is not always, but it should be so.

1553. Are you aware whether, in carrying on these investigations, it is found that the ground-rent is added to the rent of the house when it is paid by the tenant?—No, it is not; ground rents pay no outgoing at all.

1554. Is not by law the ground rent that a person pays in addition to his house rent as much assessable to the poor's rate and other local rates as to any other tax?—Not in addition to his rent. I think the ground rent is not considered in making the assessment only the annual value of the premises.

1555. Where a man takes a house and agrees to pay a certain improved rent, and also a ground rent, are not both the improved rent and the ground rent together, the rent of his house?—Certainly.

1556. Ought they not both to be assessed to the poor's rate as well as to the county rate?—Certainly, and they would be so if the person has agreed to pay both, but that is very rarely the case. The ground rent is generally held by a separate person from the landlord.

1557. Therefore when a person takes a house does not he pay two rents; first, the rent for his house, and then a ground rent?—No; suppose a house is let for 200*l.* a year, subject to a ground rent of 30*l.* a-year, the tenant only pays the 200*l.* a-year, and that is divided between two individuals; the landlord of the house receives the 170*l.* and the ground landlord receives the 30*l.* That is one of the grievances of the rating system.

1558. Mr. *Locke.*] You are speaking now of the case where the landlord is a lessee?—Nearly all land in London has been let on building leases, and at a certain ground rent. This ground rent is very frequently increased as the house rises in value, but the original ground rent at which the land was first let does not pay, as far as I know, any poor's rate at all, neither does it come into the general assessment.

1559. Mr. *Tite.*] Surely you are mistaken about that?—I will take my own case. I live in Russell-square, the house is assessed at 180*l.* a-year, 30*l.* a-year is paid to the Duke of Bedford, and he is not assessed at all for the 30*l.* a-year.

1560. Except indirectly in the 180*l.* which you pay?—No, pardon me, then it would be assessed at 210*l.*, not at 180*l.*; but, instead of that, I am only assessed at 180*l.*; it is the house which is assessed, and not the land.

1561. Mr. Alderman *Lawrence.*] That is supposed to be the value of the house?—That is supposed to be the value of the house. If the house was to be sold to-morrow it would sell at the value of 180*l.* a-year rent, subject to 30*l.* a-year payable to the Duke of Bedford, so that in point of fact the tenant or occupier would have to pay 210*l.* a year.

1562. Mr. *Sandford.*] Does not the Duke of Bedford allow you property tax upon that 30*l.*?—Yes, he allows property tax, but no rates; the property tax is very different from the rating system.

1563. *Chairman.*] What I understand is this, if you were to let your house for a sum in gross, including the ground rent, you would expect to receive a rent of 210*l.* a-year?—Yes.

1564. Is not it the fact that the assessment is merely upon the rateable value of the house, exclusive of the ground rent?—Yes.

1565. Whereas the proper assessment would be upon the lettable value?—No, not quite so. To go back to Russell-square, the house would let for 210*l.* a-year if it was to be let; but the owner of the lease would only get 180*l.*, and the Duke of Bedford would get 30*l.*

1566. But the gross value of the house, for the purpose of rating, is taken at 180*l.* a-year?—Yes.

1567. Is it not your belief that all the houses in a similar condition, that is to say, held under building leases, are assessed in the same way in London?—I think so.

1568. Therefore, in point of fact, the ground rents of London escape paying their legal obligation both to the poor rate and to all the other local rates?—That again depends upon circumstances; it depends upon the terms upon which the land was originally let, for if the house is a very good house, the rent is increased so considerably that the minor point of the ground rent is almost entirely merged. The premises alone are rated, and not the land upon which they stand.

1569. Still so far as it does exist, however small, it is not made the subject of taxation, it is not added to the assessable value of the house?—Certainly not, as regards the owner of the ground rent.

1570. Therefore it is only in a case where a house is assessed upon the whole lettable value of the house, including the ground rent, that the whole property is assessed as it should be to the payment of the rates?—Yes.

1571. Mr *Locke.*] Is not this the distinction, that with regard to the poor's rate, it is the occupier who pays?—Yes.

1572. With regard to the property tax, it is not so?—No.

1573. Then

1573. Then the mode in which the occupier is assessed, is this: you take the gross annual value in the first instance?—Yes,

1574. That is one column?—Yes.

1575. Then certain deductions are allowed for repairs, and so forth?—Yes.

1576. And those are taken off, and then if the Act of the 6 & 7 Will. 4, were properly carried out, the poor-rate would be assessed upon the whole of the remainder?—Yes.

1577. Therefore the poor-rate ought to be assessed upon the annual value of that house, minus the repairs?—No doubt, and it is so.

1578. That being so, the value upon the whole place is paid by the occupier?—Yes, it is so.

1579. Then when you come to the property tax, no deductions whatever are made, inasmuch as the tenant pays it?—Yes.

1580. And the tenant pays so much in the pound, whatever the property tax may be, upon his rack rent?—Yes.

1581. He pays that for the landlord without any deductions whatever?—Yes; the tenant deducts the property tax on the actual amount of rent paid to the landlord, which may be much less than the tenant pays owing to his improvements.

1582. That being so, the whole value of that property is paid for, is it not, including the ground rent and everything else?—Yes; I have said so; but then there is a difference between the ground landlord paying rates and paying property tax; it was entirely to the subject of rating that I understood the question to refer.

1583. But the only difference is this, that with regard to the poor-rate the value of the whole property is paid for with the deduction only of repairs; with regard to the property tax the value of the whole property is paid for with no deduction whatever; in fact, more than the value is paid for to the property tax?—Yes; the tenant deducts the property tax when he pays the ground rent.

1584. Therefore, it is not like paying income tax where a man makes out his own liability, but somebody else makes it out for him?—Yes; but I understood the question as relating to the ground landlord paying rates.

1585. Mr. *Tite.*] He does not pay rates, does he?—I cannot see how he does. Supposing you take a farm of 100*l.* a-year rent; you pay the landlord the rent, and you deduct the property tax from the rent; but you deduct nothing whatever of the 100*l.* for rates upon that farm. The tenant pays the rates; and so he does also in the case of a house.

1586. I will take this case: there are three houses in Lowndes-square, which is a very well-known place; they are all worth 400*l.* a-year a piece; that is to say, if you go into the market and let them, you will get 400*l.* a-year, and no more?—That is the rent of the premises.

1587. That in Chelsea is assumed to be the rateable value, because it is the net rent that a man pays?—Yes.

1588. One of these houses (my own) pays 5*l.* ground rent; my next neighbour pays 50*l.* ground rent, and the next one pays 120*l.* ground rent; but all the three ground rents are included in the 400*l.* a-year, which is paid by each of us. Now, in that case, does not the landlord meet his difficulty exactly in the same way in which every other landlord meets it; that is to say, if the ground rent is 5*l.*, it is a matter of small consequence; if the ground rent is 50*l.*, it is a matter of larger consequence; and, if the ground rent is 120*l.*, it is a matter of larger consequence still; but the 400*l.* a-year, which is the rateable value, and which you recognise as being the rateable value, includes the ground rent as well as the rent upon the bricks and mortar?—It may be that after the first house was built, when the ground rent was worth only 5*l.* a-year, the value of the property had so increased in that neighbourhood that the same quantity of ground rose to be worth 50*l.* and 120*l.* successively.

1589–90. That is not the case; it is a lease for 90 years in all three cases?—Then the landlord pays no more to the rates for the ground rent than the landlord of a farm would be called upon to pay when he receives his rent.

1591. I was not speaking of it in that sense?—That is the only sense in which I can look at it. All the houses are of equal value, and are equally assessed irrespective of the ground rent.

1592. You have included the land in the rateable value to the county or poor-rate in either case; in the one case you include the land as well as the bricks and mortar, and in the other case you include the land as well at the crop upon it?—I am sorry if I have misunderstood the question, but I have understood it as being "Does the ground landlord pay the rates"?

1593. It is true that he does not pay the rates, but the tenant does, which is the same thing?—The rates are paid upon the whole property, there can be no doubt. The tenant pays for what the premises would let for, whether there is any ground rent or not.

1594. Upon the whole property, including the ground rent?—Upon the lettable value of the premises, but not including the ground rent.

1595. That is what I wanted to arrive at; the landlord does not escape?—As the ground landlord, he does not pay a farthing.

1596. That is because the tenant is bound by agreement with him to pay all the rates?—But the property may have changed hands, and a fresh ground rent may have been fixed three or four times over.

1597. With regard to the income tax, I can deduct, as against the ground landlord, the Income or property tax upon either the 120*l.* a-year, which was one of the illustrations, or the 50*l.* a-year, which was another of the illustrations, or the 5*l.*, which was the third illustration. With regard to the poor-rate, the ground rent is included in the total rent, and I cannot deduct it?—You may deduct the property tax from the ground rent or from any rent.

1598. But I cannot deduct anything else?—Nothing else.

1599. *Chairman.*] What I understood you to state was this; will you correct me if I am wrong; that where a person holds a house, and pays two rents, one an improved rent, as it were, for the house, and the other a ground rent, it is the practice in London to assess the value of the house at what is called the improved lettable value; not at the improved lettable value and the ground rent together?—The ground rent would always form an ingredient in the value of the property, but not in the rateable value.

1600. Is that the case; is it the practice to add the ground rent to the rent paid, exclusive of the ground rent, in stating the gross value of the house?—It is where they are distinct; but in

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nine cases out of ten, or more than that, they are included in one rental.

1601. What is done when they are not included?—When they are not included, then the whole amount is assessed to the rate, and the tenant pays upon that assessment, and the tenant hands over the ground rent to his ground landlord, without any deduction except the property tax.

1602. Mr. Alderman *Lawrence.*] If I understand you correctly, the amount that is rated for all parochial rates, and the various taxes, is the gross rental of property, with such deductions as are usually made to form the basis of the rate for the parish in which it is situate?—Certainly, that is the plan which is adopted.

1603. And for the county rate, you state that you have raised the amount very much, by looking to see how the amount furnished by the parishes has coincided with the amount returned for the property tax, as furnished to you by the Board of Inland Revenue?—Yes.

1604. Is it not the case, that in the Property Tax Act there is a clause forbidding the property tax assessment to be used in any case whatever to decide the value of property?—I think, by the County Rate Act, it is made admissible.

1605. That provision was introduced afterwards, was it not?—Yes, I think it is admissible for forming a basis for a county rate; it is the only way in which we could get at the amount.

1606. With regard to property tax, I believe in the case of houses of large value, where the tenants make a return for those houses at the rental, the property tax is fixed upon the amounts furnished by the tenants?—Yes.

1607. Those tenants usually do the repairs, do they not?—Yes, usually.

1608. In the districts of London where houses are of a smaller size, and where the landlords do the repairs, still the property tax is deducted from the amount the tenant pays to the landlord, although no deduction has been made for repairs?—I do not know that, but the landlord, if he does the repairs, gets a higher rent.

1609. You do not know that of your own knowledge?—No, I do not.

1610. But the Property Tax Commissioners obtain the value of the houses for their purposes usually from the return made by the tenant?—Yes.

1611. In the return which he sends in of the amount of rent he pays, there is no column for allowance of deduction except for repairs?—No.

1612. Therefore, in the case of property let to tenants-at-will, the landlords pay the property tax upon the whole amount of the rental, they doing the repairs; but in the case of houses let upon lease, the landlords only pay the property tax upon the net rental, instead of upon the gross rental of the tenants-at-will?—Each parish deducts for repairs.

1613. I speak of the property tax?—I think the same allowance is made for the property tax.

1614. There is no allowance in the case of the property tax?—I know that they do not officially allow it, but they do not assess it upon the gross rental.

1615. Do they not take it upon the gross rental of all houses?—Not of small houses.

1616. You mean houses occupied by weekly tenants?—Yes, and where property is compounded for.

1617. So that the gross amount of property tax received upon houses is taken upon an amount larger than the net amount of rental received?—I dare say it is, in many cases.

1618. With respect to the county, you have alluded to various matters under the control of the county; what are the various matters which the county magistrates have under their control?—The prisons, the two lunatic asylums, the Feltham school, the militia storehouses, and house of detention. We have also the coroners, and there is the office of weights and measures.

1619. Mr. *Tite.*] You have roads and bridges, have you not?—Yes, and licenses of public, and for music and dancing.

1620. Mr. Alderman *Lawrence.*] The county bridges and roads?—Yes. I hold in my hand the last report of the Committee for Accounts and for General Purposes, of which Mr. Kemshead is chairman; he takes a very great interest in it, and this statement gives the particulars of everything that is under the jurisdiction of the magistrates, and the annual expense which is incurred under each of those heads (*producing the statement drawn up by Mr. Kemshead*).

1621. I think you have not alluded to the administration of justice; there are the sessions at Clerkenwell?—Yes; of course that is a very considerable item. The number of prisoners is great, and increases very much. There are also three reformatories, to which we send juveniles who are too old for the Feltham establishment; the boys are sent to the "Cornwall" ship at Purfleet, and the girls to Lambeth, and to Stoke, near Bath.

1622. Do you know at all what the portions of the amount of your county rate is that is received from the district within the area ruled by the Metropolitan Board of Works?—I have not gone into the calculation; I have not divided them; but I have a list of the assessments to each parish, and the amount collected in each, so that it can be obtained immediately. Some of the parishes are divided, part of them being in the metropolitan district and part not. This is the rental of each parish (*producing a Paper*).

1623. Mr. *Baring.*] Do I rightly understand you to say that a parish is assessed for county rate at a greater amount than that for which it is assessed for poor's rate?—It is.

1624. And that the county-rate assessment is made by a valuation of every particular property liable to county rate?—Yes, on an estimate from the poor rate books and property tax return, but not on a separate valuation.

1625. On a different basis from the poor's-rate valuation?—That is not so in every parish; because if we find that the return of a parish comes within a trifle of the property tax return, we then take the parish return; but if we find a great discrepancy between them we go into particulars, and take the property-tax return to guide us.

1626. Taking a parish which you have re-assessed for county rate, and re-assessed at a higher amount than it was assessed for poor's rate, how do you proceed in levying your rate?—The court of quarter sessions direct that a rate of 1*d.*, or whatever it is, in the pound, shall be levied according to the basis that the committee have laid down, a rate is made upon each parish to that amount.

1627. Suppose that 1*d.* upon the county assessment is demanded from the parish of so-and-so?—It applies to all the parishes equally; they are dealt with just in the same way.

1628. Do you know how the parishes proceed to

to levy that rate?—It is always collected with the poor rate; I cannot understand the parish returns as compared with the county rate, because they are actually more than the county receive; I do not know whether it is that a portion of the expenses to which they are put in collecting the rate is deducted, I suppose that is the case.

1629. Therefore, the parish, as I understand you, levy this money upon the poor-rate assessment of that parish?—Yes.

1630. The result would be this, that in the case of a parish which you have assessed at a greater amount than the poor-rate assessment, the rate levied by you is levied, in point of fact, from the individual ratepayers, or from a different assessment?—It is upon a different assessment. The county assessment is not the same as the parochial assessment. The parochial assessments are quite justified in deducting for empty houses, and in deducting for several minor things which the county rate are not permitted to do. Mr. Freshfield's Act, which regulates the county rate, lays it down very clearly that these deductions ought not to be made; and upon this principle, that a parish only requires a certain sum of money for its expenses; and whether the parish is assessed at 1 *d.* in the pound or 1 *s.* in the pound it makes no difference, they only collect the same sum required in either case; but if that principle was to obtain in the county rate, then, in consequence of one parish being assessed at 9 *d.* in the pound, and another parish being assessed at 1 *s.* in the pound, the rate would be altogether different, and it would be very disproportioned when levied throughout the county.

1631. So that, in point of fact, the parish would add a per-centage to the rate levied from each individual, according to their order, assessment for poor's rate, in order to provide the additional amount required to meet the increased assessment of the parish for county rate?—I believe the way in which it is managed is this: at the quarter each parish knows what amount will be required for their expenses, and they also know what will be required for the county rate. The county rate is added to their own expenditure, and then a rate is made at so much in the pound to meet the whole amount required.

1632. That being so, and the county rate assessment being made by a calculation of the sum which each particular property ought to pay, is not the manner in which that county rate is levied by the parishes unfair as between individual ratepayers in many cases?—It may be sometimes; there is great inequality in the rating.

1633. For example, I will take this case: we will say, I live in a house which is rated at 100 *l.* a year for poor's rate, and my neighbour lives in a house which is also rated at 100 *l.* a year for poor's rate; by the county rate valuation it appears that my neighbour ought to be rated at 150 *l.*, and the county rate assessment includes that item; but when the rates are levied upon my neighbour and myself, we each of us have to pay for the county rate a certain per-centage in addition to the poor's rate, and no difference is made between me and my neighbour?—Yes.

1634. Therefore I, who ought to be rated at 50 per cent. less than my neighbour for county rate, am, by the operation of levying the county rate through the poor's rate, rated at precisely the same, and no more and no less?—Yes.

1635. Then, if I am correct in these suppositions, the principle of levying the county rate upon the poor's rate assessment may be very unjust to individuals, may it not?—It may be, but that is the fault of the parish assessment.

1636. *Chairman.*] Your requisition is made upon each parish to pay a certain sum, is not it?—Yes.

1637. Then the law imposes upon the parish the duty of levying that sum properly and equably amongst the inhabitants, upon the property in that parish?—Yes.

1638. If there is any inequality, it is because the parish does not perform its duty properly, is it not?—Yes.

1639. Mr. *Baring.*] Would not the only way in which rates could be levied justly between individuals be, that there should be one and the same assessment for rating for all the rates?—Yes, no doubt; but then would come the difficulty of getting an equal assessment every parish.

1640. Mr. *Locke.*] You say that you levy the county rate upon empty houses?—Yes.

1641. Wherever there is property you may levy a county rate?—Yes.

1642. The poor rate is not upon the same principle, is it?—I think so; where there is property in a parish it should be rated.

1643. It is levied only upon the occupier?—Upon the occupier, unless compounded for.

1644. Consequently, when this county rate is added to the poor's rate in a parish, it only falls upon the occupiers; therefore, the occupiers are actually made to pay the county rate of those persons whose houses are empty; is not that so?—Not quite so; because the owner of the unoccupied property is liable to a rate, and in most of the London parishes there is a certain deduction made; in the poor districts, I believe, they allow the whole amount of the empty houses, but in the more wealthy parishes they allow from a third to a half of the amount, and that only for the portion of time during which the house has been empty, and every house is liable to be empty at times.

1645. Then although it would not be to the full amount, still, to a certain extent, an occupier would pay the county rate of his neighbour, whose house was unoccupied?—Certainly.

1646. Mr. *Vite.*] I think the subject of the county rate was taken up some ten or twelve years ago by Mr. Freshfield, who pointed out its inequality and inefficiency, and steps have since been taken to alter the whole of it?—Yes.

1647. You believe that you are acting as fairly as you can between the parishes, and that the Act of Parliament which you called a few minutes ago Mr. Freshfield's Act helps you in that particular?—Yes.

1648. Still, in fact, you do depend upon the poor's rate in the parishes in Middlesex for the county rate you ask for?—We do.

1649. You have stated that you believe that the county rate is in excess of the poor's rate, because it takes in empty houses, which the poor's rate does not?—Yes, and some other deduction which parishes make, excusing rates from very poor persons, &c.

1650. It appears from a return moved for by the honourable gentleman who has just been putting questions to you, that in St. Pancras the assessable value for the poor's rate in 1864 was 896,000 *l.*, and for the county rate 800,000 *l.*; therefore, the assessable value for the poors' rate

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was 100,000 *l.* less instead of more than that for the county rate; and if I take the great parish of Paddington, it appears that the assessable value for the poor's rate was 617,000 *l.*, and that for the county rate, as it is returned by you, was 526,000*l.*; therefore, there must be some extreme inconsistency between your impressions and the facts?—No, I think not.

1651. We will take St. Pancras, Middlesex; according to the return my honourable friend has moved for, and which gives figures perfectly incomprehensible to me, the amount of the county rate assessment is 800,640 *l.* for that parish?—In St. Pancras, in 1864, the county rate was made upon 925,872 *l.*

1652. Then the return is in error?—All the figures that you cited the other night in the House, which I have according to the report in the "Times," are taken from the year 1858, and not from the year 1864.

1653. According to the date of the return as printed, it was 1864?—Here is the return for 1864, and the rate for St. Pancras, which in 1858 was upon 864,000 *l.*, last year was upon 925,872 *l.*

1654. Will you tell me, according to your own version, what the rateable value for the poor's rate for St. Pancras was, and what the rateable value for the county rate assessment was, in any year you please?—I can only give the county rate assessment (*handing in a Return; given to Mr. Tite.*)

1655. You cannot give the poors' rate assessment?—No.

1656. *Chairman.*] Does not the discrepancy arise from the fact that you only adjust the county rate assessment at certain intervals, whereas the poor rate assessment is adjusted from year to year?—The poors' rate assessment is adjusted from year to year; the county-rate assessment we only adjust at intervals; last time it went on for six years without being adjusted.

1657. Therefore, in the interval between the adjustments of the county rate assessment there arises a great difference between it and the poor's rate assessment?—There is, of course, all the difference between the value of property at the one time and the other. With regard to St. George's, Hanover-square, for instance, the honourable Member mentioned the other night in the House 943,696 *l.*, but the last assessment was 1,076,272 *l.*

1658. Mr. *Tite.*] I only went by the Return that was made to Parliament?—I have here the figures if you wish to see them.

1659. *Chairman.*] There is also a discrepancy in consequence of the assessment for the parish made by you being for one year and that made by the parish for poor's rates being for another year?—Yes, that is so.

1660. Mr. *Tite.*] Do you go into the matter with any minuteness; you take the poor's rate assessment, and you take the return to the income tax, and chop it up as best you can, and so arrive at the county rate, do you not?—I can only say that the very first assessment we had, which was in 1848, occupied the Committee very nearly every day for six weeks, and the last assessment occupied us about five weeks I believe; we were engaged from three to four days each week.

1661. *Chairman.*] Is there any plan by which the county rate could be continually corrected and kept up, so as to be accurate from year to year, instead of being allowed to run in arrear for several years, and then being revised?—The justices have determined now that it shall not be more than three years before a new assessment is made; and we do that because otherwise it is unfair to other portions of the metropolitan district. If they make their rate every two years, and we make ours every three years, we are paying upon the old rental while they are paying upon the new.

1662. Mr. *Tite.*] I see the figures I have quoted were those returned for the year ending Lady-day 1863?—Yes.

Monday, 16*th April* 1866.

MEMBERS PRESENT:

Mr. Ayrton.
Mr. T. G. Baring.
Mr. Bazley.
Mr. Beecroft.
Sir William Gallway.
Mr. Kekewich.
Mr. Alderman Lawrence.
Mr. Mill.
Sir Matthew White Ridley.
Mr. Tite.
Mr. Turner.

ACTON SMEE AYRTON, Esq., IN THE CHAIR.

HORACE WATSON, Esq., called in; and Examined.

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1663. Mr. *T. G. Baring.*] YOU are Solicitor to the Commissioners for Woods, excepting so far as relates to the royal forests?—I am.

1664. Are you conversant with the transactions relative to the passing of the Thames Embankment Act of 1862?—I am, so far as regards those interests of the Crown which the Commissioners of the Woods are responsible for the protection of.

1665. I desire to call your attention to the evidence given by Sir John Thwaites with respect to a sum of 26,375 *l.* which has been paid by the Metropolitan Board of Works for certain portions of the foreshore of the River Thames taken for the northern embankment. He is asked (Question 117), "Can you also tell the Committee how much is necessary for compensation, if there be any more compensation to pay to riparian owners whose property abuts upon the embankment"? And he says, in answer, "I may just mention that when the powers to construct this work were given to the Board, we were under the impression that the compensations would be confined to persons having wharves or other buildings abutting upon the river, and that it would be in respect of the deprivation of water right, or injuriously affecting property on its banks. But, before we could proceed one step in carrying out this work, we were met by a claim from the Crown. That claim was a very large one; and, after a considerable amount of negotiation the matter was referred, and there was an award, I believe, of something like 27,000 *l.* for the assumed right, on the part of the Crown, to property dealt with by the Board. That was in respect of the foreshore from high to low water. That claim, on the part of the Crown, we were unable to dislodge; and, therefore, we had to meet it by a money payment of 27,000 *l.* We felt that it was scarcely consistent with the condition of things as they ought to be, as we were called upon to carry out the work, not for a commercial profit, but for the good of the community, that the Crown should interpose and make a claim to the extent of 27,000 *l.*, or rather the claim was very much beyond that; but we felt that it was hardly consistent that we should be compelled to pay at least 27,000 *l.*, in respect of that which could be of no value to the Crown or anybody else. Its value could only be estimated after the Board had built a retaining wall and excluded the tidal water, and the cost of that would fix the value of the ground for any purpose whatever. Therefore we were called upon, out of public funds raised from a tax upon the inhabitants of the metropolis, to pay that large sum." Again, in answer to Question 465, Sir John Thwaites says, "I have no reason to complain of the representatives of the Crown or of the position which they have taken with respect to property which has been absolutely of value, and for which they have received rental; they have dealt very much in the character of trustees, and have obtained, as it would be their duty to obtain, the fair market price for the property given up. But, with regard to the question which I have referred to, namely, the foreshore of the river, the Crown is not only receiving no rent, but never can receive a rent, and it has no value; it is a mere nominal right assumed or possessed by the Crown, and that we should be charged with 27,000 *l.* in respect of one improvement, appears to us to be a condition of things which very much depressed the desire of the Metropolitan Board or the metropolitan rate-payers in carrying out improvements wherever they are connected with the foreshore of the river." And, lastly, at Question 504, Sir John Thwaites is asked, "When you say that the Crown has been paid 26,375 *l.* for the foreshore in the case of the northern embankment, is it your opinion that the Crown has been paid more in proportion than other individuals have derived from their foreshore property"? And he replies, "Yes, I distinctly allege, that the 26,375 *l.* is a payment made to the Crown without any value received, and for property which was of no value particularly, because until you had constructed a retaining wall and excluded the tidal water, it could not be valuable for building purposes, and the cost of excluding the tidal water would have more than mastered the value of the property. Therefore we have paid 26,375 *l.* for that which does not exist; it is merely imaginary." Do you desire to make any observations upon those statements?—The chairman of the Metropolitan Board of works appears to have been labouring under a misapprehension with regard to the fact of the sum which he has named having been paid to the Crown at all. If such a payment had been made to the Crown, it would, in the ordinary course, have

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have been made through the office of Woods. No such payment has been made to the Office of Woods. I have no doubt that Sir John Thwaites intended to refer to two sums, one of 20,093 *l.* 15 *s.*, which the Metropolitan Board of Works have paid to the Conservators of the River Thames; and another of 6,281 *l.* 5 *s.*, which they have deposited to meet a claim made by the Duchy of Lancaster for part of the foreshore opposite the Savoy. Those two sums together make up the amount which has been mentioned by the Chairman of the Metropolitan Board of Works. Of the former sum 20,093 *l.* 15 *s.*, the Thames Conservancy Commissioners would, under the provisions of the Thames Conservancy Act of 1857, apply two-thirds to conservancy purposes, the improvement of the navigation of the river, and other purposes, which are specified in that Act, and they would pay, and have paid, one-third to the Crown, pursuant to the provisions of the same Act. That third was accounted for in the account rendered by the Thames Conservancy Commissioners, pursuant to the 103d section of the Thames Conservancy Act of 1857, for the year ending the 31st December 1864. With respect to the other sum of 6,281 *l.* 5 *s.*, which I have mentioned as having been deposited to meet a claim made by the Duchy of Lancaster, the application of that money depends on the determination of these questions: first, whether the shore in respect of which it was paid is held ultimately to belong to the Duchy of Lancaster, or the Thames Conservators; and secondly, if it is held to belong to the Duchy of Lancaster, it is subject to certain provisions of the Thames Conservancy Act of 1857, which, in the opinion of those who advised the Thames Conservators, tend to reduce the value of the freehold, if it is the freehold, of the Duchy, and reserve valuable rights to the Thames Conservancy Commissioners, which ought to be the subject of compensation. In the event of the whole, or a portion of that sum of 6,281 *l.* 5 *s.* being paid ultimately to the Thames Conservators they will, in the ordinary course pursuant to the provisions of the 103d section of their Act to which I have referred, pay one-third to the Crown.

1666. Sir John Thwaites alludes to the effect of the Thames Conservancy Act in his answer to Question 509. He says he believes that the sum paid would be ultimately divided in accordance with the Thames Conservancy Act between the Crown and the Thames Conservancy Board. Will you state what interests the Crown and the Thames Conservancy Board possess respectively in the general foreshore of the river?—The interest which they possess is defined by the Thames Conservancy Act of 1857. The 103d and 104th sections of the Act provide that the Conservators shall render to the Commissioners of Woods an account once in every year of all the proceeds. I will not trouble the Committee by enumerating them in detail—from the bed and shores of the river, and under the 104th section, they are to pay over, in every year one-third of the money so received to the Crown.

1667. *Chairman.*] Which is the section that defines the rights in the Government to the bed of the river?—In order to make the Committee understand the provisions of the Thames Conservancy Act, I will go a little earlier into the history of the river.

1668. You need not go into the limits, but merely state from the Act what are declared to be the rights in the bed of the river?—The rights are defined by the 50th and 51st sections.

1669. And which section is it that declares that two-thirds of all the benefits derived from granting licenses or embankments shall be paid to the fund, and one-third to the Crown?—The 104th section.

1670. Mr. *T. G. Baring.*] You say that a sum was paid by the Metropolitan Board of Works, for that portion of the foreshore of the river which was vested in the Thames Conservancy Board. How was it determined for the "Thames Conservancy Act of 1862"?—It was determined by the award of two arbitrators appointed pursuant to the provisions of the 75th section of the "Thames Embankment Act of 1862."

1671. Are you aware who decided upon the nature of the clauses which were submitted to the Committee upon the "Thames Embankment Bill of 1862"?—The whole history of those clauses is contained in a return laid before the House of Commons in the Session of 1862, which is numbered 369.

1672. The nature of the clauses having been determined by the Treasury as the responsible department of the Government in respect to that matter, these clauses having been submitted to the Committee, was the Metropolitan Board of Works represented by counsel before that Committee?—It was.

1673. And did the Committee proceed to discuss the clauses?—They did.

1674. And did any, and if so, what divisions take place upon these clauses?—On clause 73 in the Act as passed, which was then called "Filled up bed, or foreshore, to remain vested in Her Majesty;" that was applicable to the foreshore opposite Whitehall Gardens, Somerset House, and the Board of Control, and included the foreshore which, by the 51st section of the Thames Conservancy Act of 1857, was reserved to the Crown, and was not vested in the conservators. It appears from the report of the proceedings of the "Select Committee on the Thames Embankment Bill of 1862" (Parliamentary Paper, No. 344, of the House of Commons), that there was a division on that clause; the ayes were four, the noes were three. On the clause "Crown lessee may take lease of the land when reclaimed," there was another division. That is section 78 of the Bill as passed. The ayes were four, and the noes three, the chairman not voting in either case. On the particular clause in question, 75 of the Act as passed, "amount to be paid by way of compensation to the Crown," the question was proposed that the clause be read a second time, and Mr. Johnson was heard against the clause on behalf of the conservators of the River Thames, and proposed amendment. I may mention, from my own personal knowledge, that the reason of those objections was this:—The clause, as originally framed, and as submitted to the Committee, related solely to compensation for the rights of the Crown in the part of the bed and shore which was vested in the conservators by the Act of 1857, and in respect of which the Crown was entitled to receive one-third of the net proceeds when derived and paid over to the conservators. The Treasury was only entitled to suggest the insertion of a clause applicable to the interests of the Crown. The Thames Conservators objected to that clause upon this ground. They said, "By the Act of 1857 all the rights of the Crown are absolutely vested in the

the conservators; the clause should be framed so that the compensation for the whole interest in the shore shall be paid over to us as the persons who are now entitled to the land. Then you will be equitably entitled to the third when we account to you for the whole proceeds of the bed of the river." The report states that Mr. Johnson was heard against the clause on the part of the Thames Conservancy, and proposed amendments. Mr. Toulmin Smith and Mr. Serjeant Wrangham, Mr. Smith representing the Metropolitan Board of Works, and Serjeant Wrangham representing the First Commissioner of Works, who had charge of the Bill, at that time, were severally heard on the clause; the Committee deliberated, and, on the question being put, the numbers were, ayes eight, noes one. The clause was then a second time, amended, and added; the amendment being the insertion of words which made compensation payable for the whole of the interest in that part of the shore of the river, two-thirds being ultimately applicable to the Thames Conservancy, and one-third to the Crown; that part of the foreshore having been dedicated to the purposes of the Thames Conservancy, the proceeds being applicable in specified proportions. When the Metropolitan Board of Works proposed to take part of that foreshore and dedicate it to the improvement of the metropolitan communications, Parliament said that the prior dedication should prevail, and that two-thirds should go to the improvement of the river, and the carrying out the arrangements effected ultimately by the Act of 1857, and one-third to the Crown and the public.

1675. The Committee then discussed this clause about which we are concerned at present, and passed it, as introduced into the Act, by a majority of eight to one?—They did, after having had the advantage of the addresses of counsel on behalf of the promoters and the Metropolitan Board of Works.

1676. I think you stated that the rights were to be subject to arbitration; but perhaps you had better state the precise conditions and the section of the Act?—The 75th section of the Act of 1862 provides "that an estimate shall be made of the amount of any diminution in value which may be caused by the works by this Act authorised (except of so much thereof as will be situate on the lands coloured blue, green, or red, on the Crown plans, for which excepted parts no money compensation is to be paid) of the rights and interests of Her Majesty in right of her Crown, and of the Conservators of the River Thames under "The Thames Conservancy Act, 1857;" and the amount of such estimate shall be paid by the Board to the Conservators, to be applied by them according to the provisions of the same Act, by way of compensation for the rights and interests aforesaid; and the said estimate shall be made by two arbitrators or their umpire in manner following, viz.: one such arbitrator shall be appointed by the Board, and the other by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or one of them, within one month after the passing of this Act." I may add that those words were in the clause originally when it applied only to the third share to be payable to the Crown; they were allowed to stand without alteration, I suppose the Conservators being satisfied that the Commissioners of Woods would appoint an arbitrator who would do justice to them also. "And such arbitrators shall, before they commence their duty, appoint an umpire in writing; and if within 21 days after both arbitrators have been appointed they shall omit or refuse to appoint an umpire as aforesaid, it shall be lawful for the Commissioners of Her Majesty's Treasury to appoint an umpire, which appointment shall be valid, whether the arbitrators have then commenced their duty or not; and if either party shall neglect or refuse to appoint an arbitrator as aforesaid, the arbitrator appointed by the other party shall act alone; and the decision of such arbitrators, or arbitrator, or umpire (as the case may be) shall be final; and all the costs and expenses of the valuation to be incurred by either party shall be borne and paid by the Board."

1677. Who were the arbitrators?—Mr. John Oakley and Mr. James Pennethorne, and the umpire, Mr. Daniel Norton.

1678. Did the arbitrators agree, or did they have recourse to the umpire?—The arbitrators agreed.

1679. Mr. *Tite.*] The umpire was not called in?—No.

1680. Mr. *T. G. Baring.*] They agreed to this value of 26,375 *l.* which has been mentioned before?—They agreed to two sums which together make up that amount. There was an arrangement, as I have said, under an agreement dated the 28th of May 1864, by which the part of the money with respect to the Duchy of Lancaster was to be paid to a separate account, to abide the result of the claim.

1681. The arbitrator appointed by the Metropolitan Board of Works agreed to this sum, and therefore you would hardly consider it to be an imaginary claim upon the part of the Thames Conservancy?—I presume not, otherwise the arbitrator of the Metropolitan Board would not have signed the award.

1682. I understand that of this sum of above 20,000 *l.* which has been paid the Thames Conservancy, the Crown has received a little under 7,000 *l.*?—Rather less than 7,000 *l.*, which was accounted for by the Thames Conservancy Board for the year ending the 31st of December 1864.

1683. The Crown, I understand, has also the possibility of receiving about 2,000 *l.* more in respect of the sum which is in abeyance?—Quite so.

1684. *Chairman.*] Therefore, having received 7,000 *l.*, and being possibly entitled to 2,000 *l.*, 9,000 *l.* is all that the Crown can receive in respect of the part of the foreshore which is in the hands of the Thames Conservancy?—As far as regards the Office of Woods. I guard myself against being considered as representing also the Duchy of Lancaster, which may possibly receive 6,000 *l.*

1685. The sum of 9,000 *l.* is a mere trifle in relation to the general expenditure upon that great work, amounting to millions of money?—I should imagine it forms a very small proportion indeed.

1686. With respect to the southern embankment, Sir John Thwaites states, in answer to Question 117, "We are followed up by the same doctrine (namely, the doctrine which he had explained in respect to the northern embankment), and we fear will be victims of the same practices in the case of the southern embankment." I wish to ask you what course has been taken in respect of the Act for the southern embankment, in regard to the foreshore?—Upon the Bill for the

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southern embankment being brought into Parliament, Mr. Gore, the Commissioner of Woods, who has charge of this part of the Crown property, brought the subject under the notice of the Commissioners of the Treasury, by a letter dated the 24th of March 1863. In that letter he stated, that he presumed that the principle which had been laid down by the Treasury in regard to the Act of 1862, which had been adopted by the Committee on that Bill after full consideration, would be considered by their Lordships to be applicable also to the Bill of 1863 for the south side embankment, and therefore that similar clauses to those which, after consideration, had been adopted by the Committee on the Bill of 1862 as proper for the protection of the interests of the Crown and public, should be inserted in the Bill of 1863. In a letter dated May the 8th, 1863, the Treasury gave this answer:—"Sir,—With reference to your Report of the 24th of March last, suggesting the insertion of a clause in the Thames Embankment (South Side) Bill, for the protection of the interests of the Crown, I am directed by the Lords Commissioners of Her Majesty's Treasury to transmit herewith copy of a Report from the First Commissioner of Works on the subject, and to acquaint you that my Lords have approved of the course proposed by the First Commissioner, for the insertion in the Bill of the clause prepared by you.—I am, Sir, your obedient servant, *F. Peel.*" The letter enclosed with that was in these terms:—"Office of Works, &c., S.W., 28th April 1863.—My Lords,—In reply to Mr. Hamilton's letter of the 16th instant, requesting my opinion on the suggestion offered by Mr. Gore, I have the honour to state that I consider it desirable that the Bill which I have introduced for the embankment of a part of the right shore of the Thames, should deal with property on the foreshore on the principles which are embodied in the 'Thames Embankment Act, 1862' On these principles the Conservators of the Thames will be entitled to claim compensation from the Metropolitan Board of Works for the diminution in value occasioned by the execution of the embankment to the foreshore vested in them, and the Hereditary Land Revenues will receive one-third of the amount of such compensation. That portion of the foreshore which will be reclaimed between the embankment roadway and property belonging to or in the occupation of the Commissioners of Works, and of the Lords Commissioners of the Admiralty, will be added to such property, no payment being due to the Metropolitan Board for such reclamation of foreshore, and no payment due from them for the use of the foreshore which is covered by the public roadway on the embankment. It is my intention to insert clauses in the Bill in Committee similar in effect to those contained in the Thames Embankment Act, and I am prepared to adopt the clause suggested by Mr. Gore.—I am, &c. (signed) *W. Cowper.*"

1687. *Chairman.*] The Bill for the Southern Embankment was introduced by Mr. Cowper?—Yes.

1688. Mr. *T. G. Baring.*] In respect of the way in which this foreshore, which is vested in the Thames Conservators, has been treated, it has been treated under the provisions of the Act of Parliament, and with respect to the clauses in the two Acts, they were decided upon by the Treasury before they were submitted to the Committee upon the several Bills?—In determining the principles on which the Bill of 1862 should be framed, the Committee arrived at the conclusion that the clauses which have been mentioned were proper clauses on behalf of the Crown and the public. These clauses were submitted to the Committee on the Bill, who, after hearing counsel upon them, both for the Conservators of the Thames, the promoters of the Bill, and the Metropolitan Board of Works, decided to adopt them. The clauses having undergone that discussion in the course of the Bill of 1862 were thought proper again by the Treasury and by the First Commissioner of Works, who had charge of the Bill in 1863, and were adopted by the Committee, I cannot doubt, because they considered them justly to meet the facts of the case.

1689. Turning then to the question of the foreshore in front of the Crown property which has been taken for the purposes of the Northern Embankment, has the Metropolitan Board of Works been in a worse position, in your opinion, than with respect to the foreshore in front of the other property?—So far as I have any data to go upon, I think they must be in a better position. I understand that, with a very slight exception, they have been obliged or bound to give up the whole of the land reclaimed to the proprietors, and that they have also had to make large compensations to the wharfingers and other persons for injury to frontage rights. With regard to the Crown frontage they are in this position: they have got the site of their roadway and the land required for the embankment proper for nothing; they get that without having to pay any compensation whatever to the Crown as the freeholder of the adjoining land, because by the 76th section of the Thames Embankment Act of 1862, it is expressly provided that "the Board shall not be liable to pay to Her Majesty, her heirs or successors, any compensation for any damage or injury which may be caused to any of the lands belonging to Her Majesty, her heirs and successors, in right of the Crown, above high-water mark, by reason of the severance from the River Thames, and of the construction of the roadway on the Embankment by this Act authorised." As regards the greater part of the frontage, no revenue is now received from it in respect of wharf frontage, because, with regard to the Duke of Buccleuch's house, Sir Robert Peel's house, Fife House, and so on, there are no wharves connected with them. There is one wharf; and from that a rental of between 400 *l.* and 500 *l.* a year has been lost to the Crown during the progress of the works—that is in Scotland Yard. Therefore, so far as regards the Crown frontage, it seems to me, on the data given, the Metropolitan Board of Works will not be in a worse, but probably rather in a better position than they are with regard to the residue.

1690. With respect to the general dealings between the Office of Woods and the Metropolitan Board of Works, I should like to ask whether the Metropolitan Board of Works has ever taken any Crown property for any other metropolitan improvement, except the Thames Embankment?—I am not aware that they have taken any other Crown property for any metropolitan improvement. I believe the only Crown property they have taken, with the exception you have mentioned, is their own office, which they hold on lease.

1691. So that there has been no question of what

what is stated to be an undue amount paid for compensation in respect to other Crown property in the metropolis?—They have not yet taken any other Crown property that I am aware of.

1692. At Question 513, Sir John Thwaites is asked, "Mr. Cowper undertook to allow so much of the Park garden as was necessary for the purpose to be taken, either at a small cost or at no cost, and were you not opposed in that improvement by Mr. Gore, the Chief Commissioner of Woods and Forests?" and he replies, "It was so." Now, I want to ask you whether you have any observations to make upon that statement?—I would beg leave to refer to Parliamentary Papers No. 132 and 260, of the House of Commons, in the Session of 1865. Paper 132 contains all the correspondence between the Treasury, the Office of Works, and the Office of Woods, in reference to the making of a new thoroughfare between Park-lane and Piccadilly, down to the 15th March 1865, and the Parliamentary Paper 260, contains the proceedings of the Committee upon the "Piccadilly and Park-lane New-road Bill of 1865." I may state shortly that it appears from those papers, that in 1856 it was proposed, first of all, by the Commissioners of Works to make a new opening from Piccadilly to Park-lane, and upon the Treasury inquiring of the Office of Woods whether there was any objection on the part of the Crown to the proposal, a case was laid before the law officers of the Crown, who were then Sir Alexander Cockburn and Sir Richard Bethell, and having regard to the terms of the arrangement made at the time when the leases of the houses in Hamilton-place were agreed for, about 1805, the law officers of the Crown advised that the proposed opening could not with propriety be sanctioned. A Bill was afterwards introduced on behalf of the Metropolitan Board of Works, in the Session of 1865, for making an opening through Hamilton-place. The consent of the Crown to the measure was not withheld, and it would appear from the Parliamentary Papers to which I have referred, that the Treasury desired to leave the matter to the consideration of Parliament; all that they thought it necessary to stipulate, was that if Parliament, notwithstanding the opposition of the Crown lessees, who undoubtedly thought that the proposal was not a desirable one, either to them or to the public, sanctioned the opening, the compensation should, at all events, be made to the lessees, whether they came directly within the principles of the Lands Clauses Consolidation Act, or not. Mr. Gore was examined as a witness, but he did not present any petition; he was not in a position to present a petition against the Bill. He was merely called as a witness on behalf of the lessees of the Crown, who were petitioners, for the purpose of stating the substance of the transactions which had taken place in 1856, when the proposed opening was not made in consequence of a supposed guarantee to the Crown lessees. The counsel by whom he was examined, asked him this question: "What I understand you to say is that the Crown is taking no active part in the matter, but that it will not consent to the passing of the Bill without full compensation for injury to the property of its lessees," and Mr. Gore replied "Yes." That was the substance of the instructions which he had previously received from the Treasury. I believe that the proceedings on the Bill are very fairly narrated in the report of the Metropolitan Board of Works for the year 1864–5. They say, "After devoting much consideration to the question, and to the plan best calculated for attaining the object and communicating with the Commissioners of Her Majesty's Woods and Forests, and with the vestry of the parish on the subject, they in the early part of the past Session, introduced into Parliament a Bill for authorising them to open a line of communication from Piccadilly through Hamilton-place to Park-lane; an arrangement which they considered would, whilst it afforded the required relief to the traffic, be effected with the greatest facility and at the least expense. The principal portion of the property through which it was proposed to carry the new line of thoroughfare, belonged to the Crown. The Bill met with considerable opposition in the House of Commons, especially from the Crown tenants, and was referred to a Select Committee, who after hearing a statement of the views of the Board, and of those who opposed the scheme, decided not to approve the Preamble, and the Bill was consequently lost."

1693. *Chairman.*] The Crown asserted or claimed a right to obtain compensation greater than that ordinarily given to the owners of private property according to your knowledge of the way in which the Bills have passed?—If you will allow me I will read a letter which I wrote, sending the clauses under the direction of the Treasury.—"Office of Woods, 25th March 1865, Piccadilly and Park-lane New Road Bill.—Dear Sirs, you are aware that this Bill is opposed by various Crown lessees and tenants who will submit to the Committee that the alteration suggested would neither provide in the most effectual manner for the public accommodation, nor be the most economical in execution. These points will be duly considered by the Committee, who will weigh the alleged advantages of and objections to the scheme, and will give their decision upon its merits. The original Crown lessees, who are now represented by the petitioners against the Bill, took their leases on the faith of representations made that the land at the end of Hamilton-place would be maintained as a garden (thus preventing the conversion of Hamilton-place into a thoroughfare), and it is considered by the Government to be only just to the Crown tenants that if the decision of the Committee is adverse to the petitioners and their guarantee from the Crown is to be cancelled for the public benefit, proper compensation should at all events be secured to them. In order, therefore, to remove all doubt as to whether the case would or would not come strictly within the provisions of the 'Lands Clauses Consolidation Act, 1865,' and without prejudice to the decision of the Committee upon the scheme as a whole, I am directed to request that the enclosed clause 21[a] may be inserted in the Bill. Among the precedents for a similar provision, I may refer to the following, viz., the Midland Railway Act, 26 & 27 Vict., c. 74, s. 66. The Metropolitan Railway Act, 1864, s. 43. The North Western and Charing Cross Railway Act, 1864, s. 70. I am also directed to transmit, for insertion, the usual form of Crown saving clause, and to state that the compensation to the land revenue will include any injury to its reversionary interest on the houses mentioned in the clause 21[a] consequent upon the execution of any of the works therein mentioned. I am, dear sirs, yours truly, *Horace Watson.* Messrs. *Dyson & Co.*"

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1694. Are you aware that by the Act of Parliment relating to the Crown revenues, the officers of Woods and Forests are bound to lay before Parliament a statement of all the grants and leases they make?—Certainly.

1695. And are you aware that they are required by law to grant rights of a public manor by leases; that they could not grant a right over Crown land by mere verbal assurance or understanding?—Their statutory powers are defined in the Acts principally of the 10 Geo. 4 c. 50 and the 14 and 15 Vict. c. 43.

1696. Would it not be a fraud on Parliament to come to an understanding to grant these gentlemen rights over Crown land, without putting those rights upon record or communicating them to Parliament?—The circumstances under which the leases were granted appear in the correspondence which took place anterior to the leases being granted, and in the Surveyor General's Report in Parliament dated 6 April 1809. Those leases were, of course, all placed on record, and, if any understanding were arrived at, it might or might not be that that understanding was or was not sanctioned by the terms of the Act. If the understanding was sanctioned by the terms of the Act, then of course, it would be valid.

1697. In point of fact, is it not true that they had no rights whatever, and that rights were created by the clauses proposed, or would have been created by them? Is not that the fact?—They would have had the same rights as any other lessees under similar circumstances.

1698. Then if they had the same rights as any other lessees, they would have been compensated by the Lands Clauses Act, which provides for all lessees in the country when their interests are affected?—That is not quite so. There are many cases provided for in recent Railway Acts in London, where they would not be within the provisions of the Lands Clauses Consolidation Act to which I have referred. In fact, I think it is not an uncommon opinion (but upon that point the hon. member for Bath will be a better authority than I am) that the Lands Clauses Consolidation Act does not give adequate compensation where a work like a railway goes near to property but takes no part of it.

1699. In this case the Crown asserted its right to prevent the Bill passing, unless concessions were made to its lessees which they themselves could not claim by law?—The Government decided the principles on which the compensation to the Crown ought to be made. The office of Woods ministerially acting under the directions of the Government said that such provision for compensation ought to be made as the Government thought reasonable.

1700. Was that decision in accordance with the Land's Clauses Consolidation Act, which regulates the compensation to the owners of the property, or was it another principle?—It was doubtful, and it was in order to avoid all question that the insertion of the clause was asked for. The Crown had entered into this arrangement, and was asked to concur in making an Act of Parliament setting it aside. The advisers, responsible to the Crown for exercising its rights in a just manner, said, "If we are asked to advise the Crown to lend its hand in cancelling that which we believe to have been an arrangement, the benefit of which the tenants are entitled to claim, compensation ought at all events to be made to them."

1701. If the tenants had any rights, would they not get them compensated for under the Lands Clauses Consolidation Act?—That was a question, and it was in order to avoid any substantial question arising upon that point after the Act had passed, that the Government thought it reasonable and fair that if they went so far as to say, "We will not insist on the veto of the Crown being put on this Bill altogether, compensation ought at all events to be given."

1702. Then the Crown would not allow the Bill to be passed leaving its tenants subject to the law to which everybody else is liable?—The Crown is part of the Legislature, if I may be allowed to say so, and the advisers of the Crown suggested that if the Crown, with the Houses of Lords and Commons, were asked to pass an Act of Parliament taking away the guarantee which the tenants had from the Crown, the tenants should be secured a reasonable compensation.

1703. Where is the evidence of a guarantee? Where is the grant of the Crown to the lessees of a right over the Park or over the public lands?—It was not over public lands that the right was supposed to be granted. Part of the land at the end of Hamilton-place was described on a plan which was produced at the time of the leases being tendered for, as to be let under the provisions of two of those leases, and the arrangement made was that part of that land was actually demised, so that two of the lessees would clearly have been entitled to compensation, and the other lessees, knowing that two of their co-lessees were to have the land demised to them, which was necessary in order to convert the *cul de sac* into a thoroughfare were content to rely upon the assurance which they thus obtained.

1704. Was there any grant to them of any right over this land demised to other tenants?—There was a general plan produced at the time the leases were tendered for. That plan described this land necessary to be taken for the thoroughfare as a *cul de sac*.

1705. But did the leases grant them any right whatever over that public land which lies between their own holdings and Park-lane; any right to use it; or was there any covenant on the part of the Crown to appropriate that land to a particular purpose?—I would rather refer to the Return.

1706. Did the Crown grant to the occupiers or lessees of Nos. 2, 3, and 4 any rights whatever over any other land but that which was leased to them?—The leases to Nos. 3 and 4 did not include a garden, which was necessary to be taken for the purpose of making the proposed thoroughfare. The leases to Nos. 5 and 6 included that garden. At the time the whole leases were tendered for a general plan was produced, and, in the opinion of the law officers of the Crown in 1856, the proceedings which took place constituted a guarantee from the Crown to its tenants that that should be maintained as a *cul de sac* and not made into a thoroughfare.

1707. Because the Crown granted leases of that land to somebody else, they insisted that it gave a right to other lessees?—It was all part of one transaction, the tenders being made with reference to one common plan, and, having that opinion of the law officers in 1856, the Government in 1865 thought it was reasonable that if they assented to the public convenience, if it was a convenience, being consulted by making a *cul de sac* into a thoroughfare, the tenants should at any rate be secured reasonable compensation.

1708. With

1708. With respect to the other Bills, do we understand that the Chief Commissioner of Works arranged the clauses put into them with reference to the Crown lands?—The principle of the clauses in the Bill of 1862 is prescribed in the Treasury Minute of the 7th of January 1862, and under that the heads of clauses were prepared and submitted to the Treasury by the office of Works and the Office of Woods. The Treasury gave its decision upon those heads, and clauses were prepared by counsel on behalf of the two departments, and those clauses were submitted in detail, and were included in this return. Those clauses, I believe, with only two verbal alterations, were adopted in the Bill as it passed, except only section 75, which now includes compensation for the interests of the whole foreshore, instead of being only for the third of the Crown as regards the foreshore.

1709. Therefore, unless those clauses had been adopted, the Bill could not have proceeded?—That I am not in a position to say. I can only say that the Government sanctioned the introduction of the Bill. They brought in the measure, and in determining the principles on which the Bill should be prepared, they thought these clauses reasonable. The Metropolitan Board of Works were heard upon the clauses, so were the Thames Conservators; and after full consideration and division, the Committee passed them.

1710. Mr. *Tite.*] We understand, then, that the total figures quoted by Sir John Thwaites are correct as the compensation for the foreshore?—Certainly; the northern bank.

1711. And that the division is an error that one-third of the 20,000 *l.* goes to the Crown, and two-thirds to the Conservators of the River, and a sum represented by a deposit of 6,200 *l.* goes to the Duchy of Lancaster?—Yes.

1712. What is the Duchy of Lancaster. Who takes the money?—The Queen has the income.

1713. That is the Crown in another sense?—It is the Queen in right of the Duchy as distinguished from the Crown.

1714. Then the Conservators of the River are entitled to about 13,000 *l.* out of the 26,000 *l.*; that is the amount of the error?—Yes.

1715. The statement of the Chairman of the Metropolitan Board was that 26,000 *l.* had been paid to the Crown by the Metropolitan Board?—No money has been paid by the Metropolitan Board to the Crown at all. The payments which have been made have been, as I say, 20,000 *l.* odd to the Thames Conservators, of which ultimately one-third has come to the Crown, and 6,000 *l.* odd deposited to meet the claim of the Duchy of Lancaster may go to the Duchy or may go to the Conservators. If it goes to the Conservators or any part of it, one-third of that which goes to the Conservators may go to the Crown.

1716. It may go to the Crown?—It is a disputed question.

1717. With regard to the claim itself, which has been settled at these figures, were you the solicitor who brought it before the Metropolitan Board, or was any other solicitor employed. Is there any solicitor for the Conservators of the River?—Yes; Messrs. Frere and Co.

1718. Did they appear, or did you?—They appeared before the Committee on the Bill by counsel.

1719. Do you recollect what the claim was in the first instance?—I never had a claim to make. The arbitration was conducted entirely between the arbitrators themselves.

1720. Some solicitor must have appeared?—The meetings of the arbitrators were all private; no solicitor appeared on either side.

1721. Notice was given, and a claim made?—I never had anything to do with making any claim.

1722. You do not know what it was?—No.

1723. Do you think that Messrs. Claybon and Fearon made that claim?—I do not know; I am not aware; I think they cannot have done so; they do not act as the solicitors. Messrs. Frere and Cholmeley are the solicitors to the Thames Conservancy.

1724. Then, with regard to the Bill for the Northern Embankment, in the first instance, did you appear to oppose it, or what duty had you to perform in regard to that?—My duty was limited to seeing that the clauses which had been approved by the Treasury were inserted in the Bill.

1725. For the protection of the Crown tenants?—For the protection of the Crown and its tenants.

1726. Your opposition to the Bill went no further than that?—I made no opposition to the Bill at all.

1727. What witnesses did you call?—None.

1728. You simply proposed clauses for the protection of the Crown?—I simply proposed clauses for the tenants of the Crown and the Crown.

1729. And they were of the nature which you have explained?—They were.

1730. And were discussed?—Yes.

1731. In regard to Hamilton-place, at Question 512, Sir John Thwaites was asked, "Mr. Cowper, I believe, gave every facility to the Board for carrying that into effect at a moderate expense?" and the answer of Sir John Thwaites is, that he did. Is that true?—I have no knowledge of communications between Mr. Cowper and Sir John Thwaites.

1732. Were you opposed in that improvement by Mr. Gore, the Chief Commissioner of Woods and Forests?—It is not so; Mr. Gore gave evidence before the Committee on behalf of the Crown lessees. The substance of his evidence is stated in Return 260 of last Session.

1733. Who is Mr. Pennethorne?—A surveyor for the Office of Woods, also for the Office of Works.

1734. He was called by whom?—He was called on behalf of the Crown lessees.

1735. He appeared as a witness?—He appeared as a witness.

1736. And Mr. Nelson appeared as a witness, I believe?—Mr. Nelson appeared as a witness.

1737. Who paid the expenses of these two gentlemen?—I can only say that Mr. Pennethorne was paid nothing by the Crown.

1738. You mean he was paid out of his salary?—He is remunerated by salary, and he received no extra payment.

1739. Who paid Mr. Nelson?—I cannot answer; we did not.

1740. Mr. Pennethorne appeared distinctly as opposing this improvement on the part of the lessees of the Crown?—Mr. Pennethorne appeared to give evidence, which appears in Parliamentary Return, No. 260.

1741. In fact, is that an opposition to the improvement, or is it not?—I cannot say.

1742. You do not know?—I have not read his evidence.

1743. Were you present?—I was not.

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1744. Who had the conduct of that opposition to the Hamilton-place scheme?—The solicitors of the lessees; who they were I really cannot at present remember.

1745. Not yourself?—No, I had nothing to do with it.

1746. All you had to do was to propose these various clauses?—Yes, I have read the letter.

1747. You are aware of the clauses referred to of the Lands Clauses Consolidation Act; the words "injuriously affecting" are very wide?—They are, but I believe they have been held not to meet many cases of real injury done by railways in the metropolis.

1748. You are not aware of any case where it has not applied to injury done to house property by the change of avenues and streets?—I know that special provisions were thought necessary in the special Acts to which I have referred.

1749. For the protection of the Crown lessees?—No, for the protection of the lessees of private persons.

1750. Do you mean to represent that clauses have been introduced for the benefit other than Crown lessees?—Clauses have been introduced into at least three Bills securing compensation to persons who would not be entitled to compensation, or as to whom it would be doubtful whether they would or not, under the provisions of the Lands Clauses Consolidation Act. Those cases are the Midland Railway Act, 26 & 27 Vict. c. 74; the Metropolitan District Railway Act, 1864, and the North Western and Charing Cross Railway Act of 1864.

1751. There are some favoured individuals in the case of those Acts?—I suppose in those cases the Committee thought that whether the Lands Clauses Consolidation Act would give them compensation or not, they were fit cases for compensation.

1752. You do not know the circumstances?—No.

1753. Mr. Alderman *Lawrence.*] Did the department of the Crown which you represent oppose the making of the Embankment, as now constructed, in front of Whitehall Gardens?—The Bill of 1862 was opposed, not by the Crown, because the only opposition the Crown can make is a veto, but by the Crown lessees, and the Crown lessees called as one of their witnesses Mr. Gore, the Commissioner of Woods, who gave evidence, and his evidence is reported at length in the proceedings of the Committee. He stated his opinion, and that of the Crown lessees in favour of an alternative line shown on the plan.

1754. Ultimately, I believe, Parliament did not agree to the arrangement which the Office of Woods made with the Office of Works upon that subject, and the present line was sanctioned by Parliament contrary to the approval of the Office of Woods, as representing the interests of their tenants?—The Office of Woods had not made any arrangement with the Office of Works. The arrangement was proposed by the First Commissioner of Works to Parliament, and the Crown lessees were of opinion (and in that opinion I believe the Office of Woods, and I think also, the Honourable Member for Bath concurred) that the alternative was better than the line originally proposed. That plan was submitted as being the best for the public convenience, as well as being that which was least calculated to do injury to the Crown property in the interests of its tenants.

1755. Ultimately Parliament did not sanction the Embankment turning sharp round when it reached the Crown tenants, the Duke of Buccleugh, and others, but sanctioned the plan to carry it straight to Westminster Bridge?—The alternative plan proposed, I believe, would have made a more direct line to the City than that which is now sanctioned in which there will be an angle at the corner of Westminster Bridge. The line proposed by the Crown lessees, and which I believe the honourable Member for Bath thought was better than that originally proposed, would have gone in a more direct line to the City than you now can do.

1756. Parliament sanctioned the straight line?—The other line.

1757. Is the whole of the Crown property free from the Metropolitan drainage rate?—I am not aware that any cases of exemption have ever been brought before me. I have not had to advise upon any such question.

1758. You do not know whether the Crown property is exempt?—I have never heard of any question being raised upon the subject.

1759. Sir *William Gallwey.*] There is a part of the Park behind Hamilton-place from which the public is now excluded, and it was proposed at one time to make a public road through it. I want to know, if that was open for the purpose of making a public road, whether the Woods and Forests would consider any of their tenants entitled to compensation?—I do not think that would be a question which the Commissioners of Woods would be competent to express any opinion upon, because it would be a question on which the Government would have to decide when it arose.

1760. You have nothing to do with the Parks?—I have nothing to do with the Parks, except Windsor Park.—(*The following Papers were delivered in.* Vide *Appendix.*)

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Appendix, No. 1.

Metropolitan Board of Works.

Statement showing present condition of Fund for each Improvement, Money already Expended, Money in Hand, Money Realisable under Borrowing Powers, Amount Borrowed, Returns Received, Returns Receivable, Original Estimate, and Estimate to Complete.

Improvement.	Amount already Expended.	Money in Hand.	Amount Realisable under Borrowing Powers.	Amount Borrowed.	Returns Received.	Estimated Returns Receivable.	Estimate.	Estimate to Complete.
	£. s. d.	£. s. d.	£.	£.	£. s. d.	£. s. d.	£.	£. s. d.
Main Drainage	3,583,761 9 3	28,991 9 11	4,200,000	3,600,000	13,550 8 –	- Nil -	4,200,000	616,238 10 9
Thames Embankment, North	* 632,604 17 10	49,053 – 9	1,000,000	200,000	3,713 11 6	200,000 – –	1,973,510	1,290,000 – –
Southern Embankment	11,683 1 4	36,642 13 6	480,000	200,000	110 – –	95,000 – –	909,000	860,000 – –
Mansion House-street	643,175 14 11	25,127 4 7	1,000,000	400,000	3,309 9 5	- -	1,299,260	630,000 – –
Southwark-street	596,706 19 1	28,521 16 5	400,000	400,000	148,255 11 11	79,695 8 1	- -	completed.
Covent Garden-street	125,446 10 9	1,413 2 6			32,973 17 1	25,660 2 1	- -	completed.
Victoria Park Approach	43,430 17 5	135 17 1	42,000	42,000	5,519 14 11	4,680 5 1	- -	completed.
Finsbury Park	59,567 10 5	643 7 6	50,000	50,000	1,901 12 10	Nil.	—	—
Southwark Park	59,271 14 4	1,071 16 9	80,000	60,000	343 11 1	Nil.	—	—
Whitechapel-street	- - -	- -	175,000	—	—	—	—	—
Middle-row, Holborn	- - -	- -	61,000	—	—	—	—	—
Covering Main Sewers	39,666 – –	6,334 – –	- -	46,000	- Nil -	- Nil -	800,000	754,000 – –

* This Amount is inclusive of the Estimate for Approaches proposed in the Plans Deposited this Session.

Spring-gardens, S.W., 9 March 1866.

Edward Hughes, Accountant.

Total Amount of Taxation by the Board.

Year.	General Purposes.	Main Drainage.	Houseless Poor.	Fire Brigade.	Total.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1856	98,457 8 10	- - -	- -	- -	98,457 8 10
1857	87,939 12 4	- - -	- -	- -	87,939 12 4
1858	107,087 2 2	150,389 7 9	- -	- -	257,476 9 11
1859	65,420 4 7	150,535 13 9	- -	- -	215,955 18 4
1860	119,920 6 9	150,717 12 3	- -	- -	270,637 19 –
1861	125,618 1 –	155,749 – 9	- -	- -	281,367 1 9
1862	115,388 4 1	157,074 12 3	- -	- -	272,462 16 4
1863	132,817 11 7	157,349 2 3	- -	- -	290,166 13 10
1864	163,826 17 2	180,262 12 9	- -	- -	344,089 9 11
1865	126,599 12 2	181,559 19 3	7,000 – –	- -	315,159 11 5
1866	160,325 8 3	*181,850 – –	10,000 – –	30,822 12 3	382,998 – 6
£.	1,303,400 8 11	1,465,488 1 –	17,000 – –	30,822 12 3	2,816,711 2 2

* Estimated Amount of Rate to be made in August next.

Present produce of 1 *d.* in the £. (rateable value, 14,524,542 *l.*) - - - £. 60,518 18 6

Metropolitan Board of Works,
Spring Gardens, S.W.
9 March 1866.

Edward Hughes, Accountant.

App. No. 1.

Mortgages on Rates.

The Original Amount of Loan, Amount Paid Off, and the Balance Outstanding.

	Amount Borrowed.	Amount Repaid.	Amount Outstanding.
Bank of England:	£.	£. s. d.	£. s. d.
Main Drainage	3,600,000	800,000 – –	2,800,000 – –
Southwark and Covent Garden	400,000	100,000 – –	300,000 – –
Re Rock Loan	135,000	13,500 – –	121,500 – –
Southwark Park	60,000	– – –	60,000 – –
Covering Main Sewers	46,000	– – –	46,000 – –
Clergy Mutual Assurance Society:			
Handed over by M. C. S.	140,000	77,000 – –	63,000 – –
Victoria Park Approach	42,000	14,800 – –	27,200 – –
Finsbury Park	50,000	3,333 6 8	46,666 13 4
£.	4,473,000	1,008,633 6 8	3,464,366 13 4

Edward Hughes, Accountant.

Metropolitan Board of Works, Spring Gardens, S.W.,
9 March 1866.

Coal and Wine Duties.

	Amount Received.
Her Majesty's Treasury:	£. s. d.
Amount of Exchequer Bills and Consols	391,162 18 4
Duties:	
Quarter ending 30th June 1863	36,256 10 10
30th September „	42,111 18 4
31st December „	50,589 15 11
25th March 1864	55,651 3 2
30th June „	44,009 13 9
30th September „	42,347 17 9
31st December „	49,029 14 3
25th March 1865	51,386 8 10
Half-year ending 30th September 1865	94,168 18 9
£.	856,714 19 11

Estimated Annual Amount £. 187,000

Present Value of existing Parliamentary term ($16\frac{3}{4}$ years, at £. 187,000 per annum) £. 2,300,000
(calculated at $3\frac{3}{4}$ per cent.)

These duties have been charged with the Repayment of £. 800,000, borrowed for the following Improvements, viz.:—

Thames Embankment, North	£. 200,000
Southern Embankment	200,000
Mansion House Street	400,000

But of which a sum of 80,000 *l.* has already been repaid.

Edward Hughes,
Accountant.

Metropolitan Board of Works, Spring Gardens,
9 March 1866.

Appendix, No. 2.

PAPERS delivered in by Sir *John Thwaites*, 19 March 1866.

STATEMENT, in Detail, of the Sums raised in Precepts of the Board for Ordinary Expenses, for the Years 1856 to 1866.

Year.	Rateable Annual Value as per County Rate or like Estimate. 1.	Amount of Rate at 1 *d.* in the £. 2.	Re-Apportionment of Portion of Loan of 140,000 *l.* 3.	Works, Sewerage, and Drainage. 4.	Contributions to Minor Improvements in the Metropolis. 5.	Establishment Charges, &c., including Compensation Allowances to late Officers. 6.	Expenses under Sale of Gas Acts. 7.	Expenses under Houseless Poor Acts. 8.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1856 -	11,283,663 - -	47,015 5 3	- -	18,006 3 -	- -	24,097 11 5	—	—
1857 -	11,290,869 - -	47,045 5 9	3,272 3 1	30,061 16 11	1,632 1 2	24,095 1 2	—	—
1858 -	12,031,151 - -	50,129 15 11	- -	37,248 16 4	7,798 1 6	25,528 - 8	—	—
1859 -	12,045,476 - -	50,189 9 8	- -	23,300 - -	2,114 3 4	25,863 10 11	—	—
1860 -	12,057,455 - -	50,239 7 11	- -	45,199 9 7	7,916 13 4	19,500 1 9	—	—
1861 -	12,450,416 - -	51,876 14 8	- -	27,740 - -	13,500 - -	19,107 6 5	—	—
1862 -	12,514,053 - -	52,141 17 9	- -	20,620 - -	5,000 - -	19,661 14 6	3,500 - -	—
1863 -	12,569,969 - -	52,374 17 5	- -	37,050 - -	10,000 - -	20,583 3 -	4,830 - -	—
1864 -	12,588,661 - -	52,457 17 1	- -	35,590 - -	15,000 - -	21,606 17 6	2,210 - -	—
1865 -	14,419,823 - -	60,082 11 11	- -	42,800 - -	10,000 - -	20,528 8 4	1,710 - -	7,000 - -
1866 -	14,524,542 - -	60,518 18 6	- -	62,550 - -	15,000 - -	17,267 19 2	830 - -	10,000 - -
£.	- - -	- - -	3,272 3 1	380,166 5 10	87,960 19 4	237,839 14 10	13,080 - -	17,000 - -

Year.	Repayment of Loans and Interest on Mortgage Debts of the Board. 9.	Special Parliamentary Charges. 10.	Excess of Expenditure beyond Estimates of former Years. 11.	Incidentals to Works of Sewerage. Additional Contributions to Improvements, &c. 12.	Repayment of Loans, and Interest on Mortgage Debts of late Metropolitan Commissioners of Sewers.		Total Charge for the Year. 15.	Amount of Precepts issued (after allowing for available Credits). 16.
					Principal. 13.	Interest. 14.		
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1856 -	12,985 - -	- -	- - -	- - -	24,115 - -	15,227 12 6	94,431 6 11	98,457 8 10
1857 -	12,670 - -	- -	- - -	- - -	14,115 - -	1,4153 17 8	100,000 - -	87,939 12 4
1858 -	14,417 10 -	- -	- - -	- - -	14,115 - -	14,153 17 8	113,261 6 2	107,087 2 2
1859 -	25,915 - -	- -	- - -	20,000 - -	14,115 - -	14,003 17 8	125,311 11 11	65,420 4 7
1860 -	31,352 10 -	- -	- - -	- - -	14,115 - -	14,003 17 8	132,087 12 4	119,920 6 9
1861 -	31,037 10 -	7,313 13 1	- - -	- - -	14,115 - -	12,868 17 8	125,682 7 2	125,618 1 -
1862 -	39,562 10 -	- -	- - -	- - -	14,115 - -	12,318 17 8	114,778 2 2	115,388 4 1
1863 -	39,247 10 -	- -	- - -	- - -	11,428 18 3	9,681 8 1	132,820 19 4	132,817 11 7
1864 -	45,725 - -	- -	26,600 - -	- - -	11,428 18 3	9,530 15 1	167,691 10 10	163,826 17 2
1865 -	45,778 3 4	- -	- - -	- - -	13,500 - -	6,684 14 8	148,001 6 4	133,599 12 2
1866 -	53,175 10 -	- -	- - -	- - -	13,500 - -	6,046 4 8	178,369 13 10	170,325 8 3
£.	351,866 3 4	7,313 13 1	26,600 - -	20,000 - -	158,662 16 6	128,674 1 -	1,432,435 17 -	1,320,400 8 11
						Add Fire Brigade for 1866 - - -		30,822 12 3
							£.	1,351,223 1 2

Office, Spring Gardens, S.W., 19 March 1866.

Edward Hughes, Accountant.

App. No. 3.

Appendix, No. 3.

Metropolitan Board of Works.

Letter of Chairman, addressed to the Representatives of the Metropolis in Parliament, upon the Propriety of obtaining the Coal Duties for Metropolitan Improvements.

Greek-street, Soho-square,
Sir, 18 April 1859.

In compliance with the suggestion made at the Conference which recently took place at the House of Commons, between a large number of the Members of this Board and several Members of Parliament representing metropolitan constituencies, I have now the honour to state more in detail the precise objects and intentions of the Board in seeking the support and co-operation of the metropolitan Members.

Finding that it is either altogether impracticable, or practicable only at the cost of an undue aggravation of the existing burthens of the ratepayers, to raise by means of direct rates, imposed chiefly on house property, the sums required for effecting the extensive public works demanded by the requirements of the metropolis, the Board deem it their bounden duty to make their case known, and bring their claims under the notice of the Government and of Parliament, in the hope that they may thereby obtain that addition to their pecuniary resources to which they consider themselves justly entitled, on behalf of the ratepayers whom they represent.

For the purpose of accomplishing their object, they propose, in the first instance, to represent their position to the Chancellor of the Exchequer, and endeavour to obtain the sanction of Her Majesty's Government to such measures of relief as in the result may be considered just and expedient; and further, they are desirous of securing the advantage of your co-operation in their application to Government, believing that they can satisfy you that the request they now make is one to which you may properly assent, as tending to the benefit of your own constituents, whilst it imposes no undue burthens upon the taxpayers of the metropolis.

It will be convenient briefly to refer to the nature and extent of the demands made upon the Board in respect of public works, and at the same time to call attention to the obligations which they have inherited from previous local authorities, whose powers were determined at the end of the year 1855.

The estimated net cost of the works ordered by the Board, and now in progress, for the formation of new thoroughfares and other objects, in addition to the main drainage, for which the Board are empowered to raise 3,000,000*l.*, exceeds 500,000*l.* Besides this, the Board have either paid, or agreed to contribute, various sums, amounting in the whole to upwards of 10,000*l.*, towards the cost of widening existing thoroughfares in various districts in the metropolis; and they are constantly called upon to make contributions to other improvements of a similar character, on the application of the local authorities. The estimated cost for forming a park at Finsbury, for which an Act of Parliament has been obtained, but which cannot be carried into effect until fresh sources of revenue become available to the Board, is 216,820*l.* The works actually ordered may be seen on reference to the accompanying list, which is marked A. The list B enumerates some of the most important improvements directed to the object of facilitating traffic, or otherwise for the benefit of the metropolis, which have been pressed upon the attention of the Board. Though a diversity of opinion may exist with respect to some of them, there can be no doubt that a large proportion of them are urgently demanded for the accommodation of the traffic; and many of them have been favourably reported on by Committees of the House of Commons and other bodies by whom they have been investigated. The total estimated gross cost of the last-mentioned improvements is 16,346,245*l.*; and the net cost 12,205,675*l.* To this must be added the sum of 439,752*l.*, for the repair of main sewers, the covering of open sewers, and the construction of subsidiary works, and the mortgage debts left by the former Sewers Commissioners, for works executed, amounting to 309,902*l.* 12*s.*, and a further sum of 140,000*l.* borrowed by the Sewers Commissioners, and applied by this Board in execution of the Metropolis Local Management Act. The Board are also charged with the duty of paying to former officers of the Sewers Commission, and to certain persons employed in the former Metropolitan Buildings Office, by way of compensation for loss of office, or retiring allowance, an annual sum of 2,301*l.* 15*s.* 7*d.* Amongst the charges on the metropolitan rates, it is also necessary to mention the debts left by the former Pavement and Improvement Trusts, whose obligations devolved, by the provisions of the Metropolis Local Management Act, upon the respective vestries and district Boards.

A Parliamentary Return, ordered to be printed on the 23d March 1858, shows the amount levied by rates in the year 1857, exclusive of certain parishes and localities which made no return, to have been 1,317,893*l.* 12*s.* 8¾*d.* This, however, does not include the main drainage rate of 3*d.* in the pound on the county rate basis, which has since been imposed by the Act of the 21st and 22d Vict. c. 104, and the total annual sum raised by rates in the metropolis would, probably, not fall far short of 2,000,000*l.* An inspection of that return will show the large amounts levied in certain parts of the metropolis, and the difficulty of increasing them. For instance, the amount levied in Chelsea, in the year 1857, was 6*s.* 11¾*d.* in the pound; St. Leonard, Shoreditch, 6*s.* 6*d.*; Bermondsey, 6*s.* 6*d.*; St. George-in-the-East, 6*s.* 4*d.*; Rotherhithe, 5*s.* 10*d.*; Christchurch, Surrey, 6*s.* 2*d.*; and St. John, Horsleydown, 7*s.* 10*d.* in the pound.

From this view of the extent of the existing local burthens, it is obvious that no additional taxation ought to be cast upon the ratepayers without the most pressing necessity, and the Board believe that no adequate grounds can be urged for imposing the whole cost of public improvements upon the rates of the metropolis. The case of the Board must not be misunderstood. They

do

do not wish, for one moment, to escape from any obligations which legitimately belong to them. They are perfectly willing that the cost of those works which can properly be regarded as of a local character, such as ordinary sewerage, drainage, paving, and road making, should be provided for out of rates; and though, before the recent Act of Parliament, they might fairly have contended that the cost of the vast intercepting drainage works now in progress ought not to have been viewed as a matter of strictly local obligation, and should have been, in part at least, defrayed out of national funds, they are, nevertheless, prepared, in conformity with the will of Parliament, to defray the cost of those extensive works without direct aid from other sources.

But very different considerations apply to vast and costly works, such as the Thames Embankment, the formation of parks, and the making of new and spacious thoroughfares, to meet the exigencies of a city which is at once the seat of the Imperial Government and the centre of the commerce of the world. These have never been regarded as matters of merely local concernment. On the contrary, they have generally been recognised as the obligation of the State, to be provided for by the Executive Government, out of the Land Revenues of the Crown, or the Consolidated Fund, or, if imposed upon municipal authorities, those bodies have been enabled to defray the cost of them out of other sources of revenue superadded to the ordinary local rates. For instance, most of the corporate towns of the kingdom, in addition to the ordinary borough and other rates, derive large sums from corporation estates, tolls, dues, fees, and the like; and they present in this respect a remarkable contrast to the newly formed corporations created by the Metropolis Local Management Act, upon which vast duties were imposed without any corresponding means of meeting the cost attending their discharge.

The Board have instituted an inquiry into the nature and amount of the revenues available in certain continental cities for the purpose of public works; and they find that, in addition to resources in the nature of local rates, the rents of land, and the proceeds of other realised property, they derive large sums from taxes on articles of consumption, and a great variety of other local imposts; but, after a careful consideration of the nature and source of the receipts exhibited in the budgets of continental communities, they have arrived at the conclusion that few, if any, of the peculiar subjects of taxation which appear in them could be advantageously adopted here, and many of them are wholly repugnant to the fiscal policy of this country,

The position of the Board, therefore, is this: they have vast obligations cast upon them by recent changes in the law, and they possess no corporate funds; practically, there is a limit to the sums which can be raised by rates, and to meet those obligations it would be necessary to pass that limit; under these circumstances, they feel they are entitled to apply to the Legislature for aid; and as they are not called upon, neither are they in a situation to propose any new tax, it remains for them to urge their claim to those amongst existing imposts which might be made available for the objects which have been described, with the least detriment to the ratepayers and the public in general. The duties which appear to the Board to present this characteristic, are those on hackney carriages, and the whole or a part of those levied on coals in the metropolitan district. As regards the former, it is obvious that the great cost of maintaining the roadways in the metropolis is largely due to the wear and tear occasioned by this portion of the street traffic; and the consequent duties of the parishes are greatly in excess of those which would devolve upon them under their ordinary common law obligation to maintain their roads, and are such as fairly entitle them to additional sources of revenue; and the fact that the hackney carriage duty is practically confined to the metropolis, seems to point to this as its proper application. That this duty is peculiar to the metropolis is proved by a return to an order of the House of Commons, dated 14th February 1859, which shows that the amount of duty for the year ending April 1858, charged in the metropolitan districts on hackney carriages was 80,368*l.* 6*s.*, whilst, under the same head, nothing was charged on the rest of England and Wales. It is not necessary that the Board should express any opinion on the policy or impolicy of this tax; they simply contend that so long as it continues to be levied according to the present mode, it should in justice be applied to municipal, and not to imperial purposes.

As regards the Coal Dues, the whole course of legislation, for a considerable time past, with respect to the larger proportion of them, has marked them as an especial fund, whether in the hands of the civic authorities, or those of the Executive Government, out of which the cost of public improvements should be defrayed.

These duties, which are levied on sea-borne and inland coals, within a radius of twenty miles from the Post Office, amount to 13*d.* a ton, comprising three duties of 8*d.*, 4*d.*, and 1*d.* each.

The 8*d.* duty is included in the London Bridge Approaches Fund, and its net produce is paid over to Her Majesty's Office of Works, for liquidating loans raised upon the credit of this fund. The surplus, after paying off these charges, is applicable to the cost of the Covent Garden Approach, now being carried out by this Board. There is at the present time payable, under the provisions of the 16th Vict., cap. 18, from the London Bridge Approaches Fund, to the Office of Works, on account of the Consolidated Fund, the sum of 172,679*l.* 5*s.* 5*d.*, with interest at 4 per cent. per annum, from the 24th February, 1859, until it shall be paid off. There is also charged upon it, under the same Act, the sum of 88,000*l.*, in respect of the new street from Coppice-row to Clerkenwell; and also the assumed amount of 35,000*l.*, for the formation of the Covent Garden Approach. The actual amount available by law for the last improvement is the subject of some doubt, it being contended, on cogent grounds, that the amount is larger than that named; but taking it at the sum stated, the total charge would be 295,679 *l.* 5*s.* 5*d.* The produce of the 8*d.* duty is 144,000*l.* per annum, and there is reason to expect that the entire charges on this fund will be paid off in the early part of the year 1861. The general impression has been that this duty would cease in July, 1862, but opinions have been expressed in quarters carrying considerable weight with them, that it will not expire at that period, but that it will revert to the Corporation of London, so far as concerns sea-borne coal and within altered limits.

The 4*d.* duty, which by an Act passed in 1845

App. No. 3.

was extended to inland coal, is claimed by the Corporation as a part of the City's estate. It produces 72,000 *l.* per annum.

The 1 *d.* duty was imposed by the 47 Geo. 3, c. 68, and has been continued by subsequent Acts till 5th July, 1862, when it is asserted it will revert to a duty of 1 *d.* per chaldron. It produces about 17,000 *l.* per annum.

The duty on coals is not peculiar to the metropolis, but similar dues are levied in a large number of the sea-ports of the United Kingdom; and their amount may be ascertained by reference to a Return to an Order of the House of Commons, ordered to be printed on the 4th September 1848, showing that dues ranging from ½ *d.* to 4 *s.* per ton are levied on coals in those localities.

The propriety of applying the 1 *d.* duty to the cost of public improvements has been recognised by various Acts of Parliament. It was originally imposed for the purpose of establishing a coal market, and by the 8 and 9 Vict., c. 101, was continued for the express purpose of "providing a fund for the opening of poor and densely-populated districts in the metropolis, or for keeping open spaces in the immediate vicinity of the same, as a means of promoting the public convenience, recreation, and health." The appropriation of the 8 *d.* duty was to similar objects, and it has in fact been one of the principal sources from which the cost of a large proportion of the public improvements effected in late years has been defrayed. It may be further stated, that the coal duty is one remarkably economical in collection, and not pressing heavily on the consumer; and a tax which, in the case of a wealthy man, does not exceed forty or fifty shillings a year, and in that of a poor man does not, perhaps, amount to as many pence, cannot, as regards oppressiveness of operation, be fairly put in comparison with additional rates imposed on the already overburdened owners and occupiers of house-property in the metropolis.

In furtherance of the objects set forth in the foregoing observations, the Board propose at an early period respectfully to press their claims upon the attention of Her Majesty's Government, with a view to prompt and efficacious legislative measures upon the subject, and they trust to secure the benefit of your co-operation in this step, as well as in such consequent proceedings as may result from it. They believe this to be the fitting time for dealing with these questions, and that to be dealt with effectually they must be dealt with separately, and not in connection with and as a part of other and larger questions which will come before the Legislature in due course at their appointed time; and further, they consider that to defer legislation on the subject until some anticipated general revision of the entire system of metropolitan taxation shall have taken place, will be not only to perpetuate the injustice from which this Board as well as vestries and district boards are now suffering, but to oppose a formidable, if not an insurmountable, obstacle to the entire course of public improvement in the metropolis.

The evils of delay are but imperfectly appreciated by the public, and cannot be over-estimated. The chief difficulties against which the Board have to struggle are, in a great measure, due to the fact that, not only have they to provide for future requirements, but they have also to remedy the mischief consequent upon past shortcomings. On entering upon their functions, they had to deal with a vast accumulation of arrears in every department of public works, chiefly arising from former delays. This result was no doubt partly owing to the absence of any central authority constituted for carrying out works commensurate with the growing wants of the capital, and to the desultory and local character of those improvements which were actually effected; and further, to the fact that it has been only at a comparatively recent period that public attention has been effectually directed to the absolute necessity of making more adequate provision for the convenience and health of a population which has nearly doubled within the last forty-five years. Still, the chief cause of the evils which exist has been the indefinite postponement of measures of improvement so urgently needed. So far as the Board have been enabled, their regulations have been directed to the prevention of an increase of the mischief, more particularly in the case of land newly laid out for building purposes, by requiring that all new streets should be of a certain width, and by prohibiting projections, encroachments, overcrowding, and the like. But the operation of these regulations has of necessity for the most part been confined to outlying districts, and they could not be made generally applicable to the more densely inhabited portions of the metropolis, which can only obtain effectual relief, by the extensive widening of existing, and opening-up of entirely new lines of thoroughfare, and by the formation of parks and the preservation of open spaces. Serious, however, as are the difficulties and responsibilities arising from the present condition of the metropolis, the making adequate provision for the future wants of its inhabitants is a subject of still greater anxiety; and the timely adoption of such progressive improvements as shall, in some measure, keep pace with the demands of a constantly extending commerce and rapidly increasing population, is one of the gravest social and sanitary problems which can occupy our attention. One thing is, however, undoubted, and that is, that the longer the task is delayed the greater will be the difficulties attending its execution; and those incur a heavy responsibility who, in presence of the evils which surround them, defer promptly grappling with the mischief, and thus offer serious impediments to the adoption of effectual remedial measures adapted to the exigencies of the case.

In conclusion, I have, on the part of the Board, to express the earnest hope that the representations embodied in this communication may succeed in engaging your serious attention, and that in the result you may deem yourself justified in giving your active support to the steps contemplated by the Board, the object of which, as already explained, is to enable them to make adequate provision for improvements imperatively demanded for the public convenience and health, whilst guarding the rate-payers against an undue addition to their burthens.

I have, &c.,
John Thwaites.
Chairman.

Appendix, No. 4.

SCHEDULE OF WORKS AND IMPROVEMENTS.

App. No. 4.

	Estimated Nett Cost.
	£. s. d.
A. Works Ordered:	
The Main Drainage of the Metropolis	2,300,000 – –
New street from High-street, Southwark, to end of Stamford-street	429,424 – –
New street from King street, Covent-garden, to Cranbourn-street	41,820 – –
Victoria Park Approach	41,450 – –
B. Improvement for which an Act has been obtained:	
Formation of a park at Finsbury	216,830 – –
C. Works urgently required:	
Reconstruction and covering over main sewers; construction of lines subsidiary to main drainage, and minor works, gullies, side entrances, &c.	439,752 – –

	Gross Cost.	Nett Cost.
	£. s. d.	£. s. d.
D. Improvements of the Metropolitan Communications enumerated in the Report of the Committee of Works and Improvements, dated 7 March 1859:		
Formation of new street from Earl-street, Blackfriars, to Mansion House.	1,458,000 – –	891,750 – –
Formation of new street from Bow-street and Long-acre to Cheapside.	1,709,500 – –	1,112,600 – –
With a branch from Wellington-street, Waterloo-bridge, to Carey-street.	390,000 – –	250,500 – –
Formation of new street through Gate-street to Southampton row, Russell-square.	321,600 – –	174,600 – –
Improvement of Holborn-hill and Skinner-street by a viaduct on the north side.	375,000 – –	200,000 – –
Widening Theobald's-road and King's-road, north side of Liquorpond-street, forming a new street from the north end of Leather-lane to Clerkenwell-green, and continuation to Old street;	771,306 – –	626,980 – –
And on to the Eastern Counties railway	564,000 – –	462,600 – –
Removal of Temple Bar, and widening the north side of Fleet-street and the Strand for a distance of 300 feet west of Chancery-lane.	121,002 – –	89,851 – –
Formation of new street, Commercial-road east, to High-street, Whitechapel.	168,497 – –	127,464 – –
Completing the improvement commenced on the north side of Newgate-street.	156,800 – –	116,300 – –
Widening King Edward-street, and making opening into Little Britain.	40,320 – –	24,570 – –
The removal of the block of buildings known as Middle-row, Holborn.	47,425 – –	46,625 – –
Widening the north end of Chancery-lane	150,000 – –	120,000 – –
Widening the south end of Park-lane into Piccadilly, and continuing South Audley-street into Park-lane.	201,000 – –	172,700 – –
Widening the Strand on the north side from Catherine-street to Newcastle-street, removing Holywell-street, and forming building site as shown on map.	573,000 – –	425,400 – –
Forming an entrance from Spring Gardens into St. James's-park.	—	—

App. No. 4.

SCHEDULE OF WORKS AND IMPROVEMENTS—*continued.*

	Gross Cost.	Net Cost.
D. Improvements, &c.—*continued.*	£. s. d.	£. s. d.
Widening lower end of Bedford-street, Strand, as the completion of Covent-garden Approach.	27,600 – –	13,800 – –
Removal of Postern-row, and curtailment of enclosure of Trinity-square.	132,000 – –	115,800 – –
New street from Trinity-square to Tower-street, widening and straightening Great Tower-street and Eastcheap.	441,600 – –	300,600 – –
Removal of houses, north end of King William-street -	19,200 – –	12,000 – –
Widening and improving the junction at Gracechurch-street, Bishopsgate-street, Cornhill, and Leadenhall-street.	424,000 – –	291,500 – –
Widening and improving Bishopsgate-street Without and Within.	246,400 – –	186,400 – –
Widening and improving Norton Folgate - -	94,720 – –	67,740 – –
Improving Fenchchurch-street, and cutting new street into south end of Gracechurch-street.	580,000 – –	330,000 – –
Widening and improving Aldgate - - - - -	210,000 – –	153,000 – –
Widening Upper and Lower Thames-street - -	1,360,000 – –	799,000 – –
Widening Queen-street, Cheapside, on the eastern side.	451,200 – –	302,450 – –
Widening and improving St. Martin's-lane, and widening Broad-street, Bloomsbury, and Great St. Andrew-street.	253,440 – –	190,740 – –
Widening Hungerford Suspension-bridge, and forming new street to West-strand, Charing-cross, with street on the Surrey side of the Thames, as shown on the map.	624,800 – –	432,210 – –
Widening Poultry on the north side - - - -	643,600 – –	543,600 – –
Widening south end of Milk-street, next Cheapside -	50,000 – –	42,500 – –
Widening south end of Aldermanbury - - -	75,000 – –	48,750 – –
Widening the west end of Jewin-street, Aldersgate-street, and the formation of a new street into Smithfield.	180,480 – –	133,480 – –
Continuation of Broad-street Buildings into Sun-street, Bishopsgate, with new road to Curtain-road, Shoreditch.	242,880 – –	184,130 – –
Widening of St. John's-street, Clerkenwell, on the west side.	72,000 – –	46,160 – –
Formation of Thames Embankment, North and South, from Westminster to London Bridges, as estimated by Mr. Gisborne, C. E.	- - -	2,000,000 – –
Purchase of the tolls of Southwark Bridge, and improving the gradients from Thames-street—amount claimed by the Company.	- - -	300,000 – –*
Purchase of the tolls of Waterloo Bridge: amount claimed by the Company.	- - -	700,000 – –*
Widening High-street, Kensington, from No. 59 to Young-street.	- - -	40,000 – –
Formation of a Park in Southwark - - - -	- - -	129,875 – –

* The Committee express no opinion on the propriety of these amounts, but merely give them as the sums which there is reason to believe would be claimed by the companies.

Appendix, No. 5.

PAPERS handed in by Mr. *Scott*, 23 March 1866.

(A.)

STATEMENT of the RECEIPTS and EXPENDITURE of the CITY'S FOURPENNY COAL DUTY since the Extension of Time for which it is to be paid, viz., by passing of Act 24 & 25 Vict. c. 42, from 22 July 1861.

	From 22 July to 31 December 1861.	Year ending 31 December 1862.	Year ending 31 December 1863.	Year ending 31 December 1864.	Year ending 31 December 1865.	TOTALS.
RECEIPTS:	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
To the duty of 4 *d.* per ton on coals -	39,366 10 8	80,108 18 4	84,919 13 4	87,693 9 –	93,053 6 8	385,141 18 –
„ Reimbursement of preliminary expenses Holborn Valley Improvement - - - - -	- -	- -	- -	5,561 6 5	- -	5,561 6 5
„ Income Tax returned - - -	- -	- -	- -	1,759 19 5	653 4 6	2,413 3 11
„ Interest on moneys deposited - -	- -	- -	- -	- -	5,677 11 1	5,677 11 1
GROSS PRODUCE - - - £.	39,366 10 8	80,108 18 4	84,919 13 4	95,014 14 10	99,384 2 3	398,793 19 5
EXPENDITURE:						
By Drawback and return of duty - -	3,861 3 –	9,878 12 4	9,837 19 –	10,201 6 2	8,997 19 4	42,776 19 10
„ Proportion of expenses of collection and management - - -	451 3 8	1,854 2 10	1,239 19 6	1,172 9 11	1,250 12 2	5,968 8 1
„ Coal Meters' compensation allowances	1,071 13 9	4,146 – 4	3,907 4 10	3,705 17 7	3,351 – 10	16,181 17 4
„ Preliminary expenses, Holborn Valley Improvement - - - - -	- -	- -	2,013 10 –	3,547 16 5	- -	5,561 6 5
„ Income Tax - - - - - -	- -	- -	- -	3,347 18 5	2,205 15 11	5,553 14 4
	5,384 – 5	15,878 15 6	16,998 13 4	21,975 8 6	15,805 8 3	76,042 6 –
NET PRODUCE - - - £.	33,982 10 3	64,230 2 10	67,921 – –	73,039 6 4	83,578 14 –	322,751 13 5
By Interest on loans - - - -	10,640 1 –	21,515 15 1	19,493 14 8	17,867 13 9	30,236 18 8	99,754 3 2
„ Surplus applied quarterly for the discharge of bonds.	10,000 – –	46,841 15 5	40,708 – 2	50,264 13 4	59,908 7 –	207,722 15 11
£.	20,640 1 –	68,357 10 6	60,201 14 10	68,132 7 1	90,145 5 8	307,476 19 1
Balance of Cash applicable to payment of interest and expenses on 31st December 1865 - - -						15,274 14 4
					£.	322,751 13 5

App. No. 5.

(B.)

STATEMENT of the NET PRODUCE of the Duty of 4 *d.* per Ton on COALS since the passing of the Act 24 & 25 Vict., 22 July 1861, and of the Application of the same.

		£.	s.	d.
1861	Net Produce (from 22d July to 31st December) - - -	33,982	10	3
1862	- Ditto - ditto - one year - - - - - -	64,230	2	10
1863	- Ditto - ditto - one year - - - - - -	67,921	–	–
1864	- Ditto - ditto - one year - - - - - -	73,039	6	4
1865	- Ditto - ditto - one year - - - - - -	83,578	14	–
	£.	322,751	13	5

Average Annual Net Produce of last three Years - - £. 75,046.

		£.	s.	d.			
1861	Interest on Loans - - - - - - -	10,640	1	–			
1862	- - Ditto - - - - - -	21,515	15	1			
1863	- - Ditto - - - - - -	19,493	14	8			
1864	- - Ditto - - - - - -	17,867	13	9			
1865	- - Ditto - - - - - -	30,236	18	8			
					99,754	3	2
1861	Surplus applied quarterly to the Discharge of Bonds - - - - - - -	10,000	–	–			
1862	- - Ditto - ditto - - - -	46,841	15	5			
1863	- - Ditto - ditto - - - -	40,708	–	2			
1864	- - Ditto - ditto - - - -	50,264	13	4			
1865	- - Ditto - ditto - - - -	59,908	7	–			
					207,722	15	11
					307,476	19	1
	Balance of Cash applicable to Payment of Interest and Expenses on 31st December 1865 - - - - -				15,274	14	4
	£.				322,715	13	5

LOANS Chargeable on the above.

	£.	s.	d	£.	s.	d
Loans chargeable at the time of passing the Act of 1861 - - - -				540,000	–	–
Less Bonds discharged or provided for in the Year 1862 -	60,000	–	–			
- Ditto - ditto - 1863 - - - - -	35,000	–	–			
- Ditto - ditto - 1864 - - - - -	35,000	–	–			
- Ditto - ditto - 1865 - - - - -	50,000	–	–			
Surplus now applicable to the discharge of Bonds when they mature - - - - - - - - -	27,000	–	–			
Cash Balance, 31st December 1865 - - - -	722	15	11			
				207,722	15	11
Balance of Loans, 31st December 1865 - - - - - - -				332,277	4	1
Borrowed under "Holborn Valley Improvement Act, 1864:"—						
In the Year 1864 - - - - -	35,000	–	–			
- Ditto 1865 - - - - - - -	465,000	–	–			
- Ditto 1866 - - - - - - -	12,100	–	–			
				512,100	–	–
				844,377	4	1
Balance to be raised under Holborn Valley Improvement Act - - -				87,900	–	–
TOTAL Charges on the above Duty - - - £.				932,277	4	1

Chamber of London,
Guildhall, 20th March 1866.

Benjamin Scott,
Chamberlain.

(C.)

SURPLUS FUND.

	From 22 July to 31 Dec. 1861.	Year ending 31 Dec. 1862.	Year ending 31 Dec. 1863.	Year ending 31 Dec. 1864.	Year ending 31 Dec. 1865.	Totals.
RECEIPTS:	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
To Surplus applicable to the discharge of Bonds	10,000 – –	46,841 15 5	40,708 – 2	50,264 13 4	59,908 7 –	207,722 15 11
					£.	207,722 15 11
EXPENDITURE:						
By Cash in discharge of Bonds	– –	60,000 – –	35,000 – –	35,000 – –	50,000 – –	180,000 – –
„ Surplus balance deposited at Interest until Bonds fall due	– –	– –	– –	– –	– –	27,000 – –
Balance in hand applicable to the discharge of Bonds on 31 December 1865	– –	– –	– –	– –	– –	722 15 11
					Total £.	207,722 15 11

Account of Loans borrowed on the Security of the accruing Coal Duty.

	£. s. d.	£. s. d.
Loans chargeable at the time of passing of Act of 1861	– –	540,000 – –
By Bonds discharged or provided for, as per foregoing Account, viz., in the Year 1862	60,000 – –	
„ „ „ „ 1863	35,000 – –	
„ „ „ „ 1864	35,000 – –	
„ „ „ „ 1865	50,000 – –	
By Surplus applicable to the discharge of Bonds when they shall fall due	27,000 – –	
„ Cash Balance „ „ „	722 15 11	
		207,722 15 11
Borrowed under "Holborn Valley Improvement Act, 1864":		332,277 4 1
In the Year 1864	35,000 – –	
„ 1865	465,000 – –	
		500,000 – –
		832,277 4 1
Amount authorised under Holborn Valley Improvement Act, but not yet raised		100,000 – –
Total of Charge on the 4*d.* Coal Duty on the 31st December 1865	£.	932,277 4 1

Chamber of London,
15 January 1866.

(D.)

STATEMENT of the Produce of the DUTY of 9*d.* per Ton on COALS and the DUTY on WINE since the passing of the Act 24 & 25 Vict., 22 July 1861, and of the Application of the same.

		£. s. d.	£. s. d.	£. s. d.
1861 - -	Surplus of London Bridge Approaches Fund - - - -			137,992 18 1
22d July to 31 Dec.	Coal Duty, 9*d.* - - -	88,574 14 –		
	Drawback - - - -	8,687 11 9		
			79,887 2 3	
	Wine Duty - - - - - - -		2,789 14 7	
			82,676 16 10	
	Charges and Expenses of Management - -		1,399 15 10	
				81,277 1 –
1862 - -	Coal Duty, 9*d.* - - -	£. s. d. 180,245 1 3		
	Drawback - - - -	22,226 17 9		
			158,018 3 6	
	Wine Duty - - - - - - -		8,722 2 10	
			166,740 6 4	
	Charges and Expenses - - - - -		4,517 13 –	
				162,222 13 4
1863 - -	Coal Duty, 9*d.* - - -	£. s. d. 191,069 5 –		
	Drawback - - - -	22,135 7 9		
			168,933 17 3	
	Wine Duty - - - - - - -		10,262 18 9	
			179,196 16 –	
	Charges and Expenses - - - - -		3,328 1 3	
				175,868 14 9
1864 - -	Coal Duty, 9*d.* - - -	£. s. d. 197,310 5 3		
	Drawback - - - -	22,952 18 9		
			174,357 6 6	
	Wine Duty - - - - - - -		11,593 11 10	
			185,950 18 4	
	Charges and Expenses - - - - -		3,195 17 5	
				182,755 – 11
1865 - -	Coal Duty, 9*d.* - - -	£. s. d. 209,370 – –		
	Drawback - - - -	20,245 8 6		
			189,124 11 6	
	Wine Duty - - - - - - -		9,956 5 2	
			199,080 16 8	
	Charges and Expenses of Managmeent - -		3,403 12 9	
				195,677 3 11
			£.	935,793 12 –

App. No

(E.)

Application of the Above.

CASH paid to the Credit of the Lords Commissioners of Her Majesty's Treasury to Account of the Thames Embankment and Metropolis Improvement Fund.

		£. s. d.	£. s. d.
1862:			
6 March - -	Balance of London Bridge Approaches Fund - - -		137,992 18 1
1862:		£. s. d.	
13 February -	1 *d.* ton on Coals, 22 July to 30 Sept. 1861	3,629 6 1	
5 March - -	8 *d.* ton on Coals, and Duty on Wines - - - - - ditto -	30,310 13 5	
28 „ - -	9 *d.* ton on Coals, and Wine Duty to - - - 31 Dec. 1861	47,337 1 6	
13 June - -	- - Ditto - - 31 March 1862	39,795 9 6	
20 September -	- - Ditto - - 30 June „	36,961 14 3	
11 December -	- - Ditto - - 30 Sept. „	40,372 7 2	
			198,406 11 11
1863:			
17 March - -	- - Ditto - - 31 Dec. „	45,093 2 5	
20 June - -	- - Ditto - - 31 March 1863	46,910 9 8	
19 September -	- - Ditto - - 30 June „	36,256 10 10	
11 December -	- - Ditto - - 30 Sept. „	42,111 18 4	
			170,372 1 3
1864:			
9 March - -	- - Ditto - - 31 Dec. „	50,589 15 11	
11 June - -	- - Ditto - - 31 March 1864	47,367 15 2	
15 September -	- - Ditto - - 30 June „	44,009 13 9	
8 December -	- - Ditto - - 30 Sept. „	42,347 17 9	
			184,315 2 7
1865:			
8 March - -	- - Ditto - - 31 Dec. „	49,029 14 3	
9 June - -	- - Ditto - - 31 March 1865	51,386 8 10	
18 September -	- - Ditto - - 30 June „	47,522 5 8	
11 December	- - Ditto - - 30 Sept. „	46,646 13 1	
			194,585 1 10
1866:			
10 March - -	- - Ditto - - 31 Dec. „	- -	50,121 16 4
		£.	935,793 12 -

Chamber of London, Guildhall,
21 March 1866.

Benjamin Scott,
Chamberlain.

Appendix No. 6.

METROPOLITAN BOARD OF WORKS.

RETURN showing the TOTAL AMOUNT of TAXATION in the METROPOLIS under the Provisions of the METROPOLIS LOCAL MANAGEMENT ACTS and CITY ACTS, by the City Authorities, and Main Drainage Purposes); also the Sums raised for Poor Rates, including County and Police; together with the Rateable Annual Value as per County Rate Basis, or like Estimate, Local Taxation Returns, 1865, No. 447: Poor Rate Returns, 1864-5; the Rate Accounts of the Metropolitan Board of Works, and the Census Tables, 1861, &c. &c.

Number.	PARISHES, DISTRICTS, OR PARTS.		Population, as per Census 1861.		County Rate Basis or like Estimate, 1866.		Poor Rate. Rateable Annual Value, March 1866. (From Information obtained from Vestry Clerks.)		Total Amount of Local Taxation by the City Authorities, Vestries, and District Boards, including Precepts of Metropolitan Board. Receipts for the Latest Period of 12 Months preceding June 1864.			Rate in the £. on County Rate Basis.		Rate in the £. on Poor Rate Rental.	
					£.	£.			£. s. d.	£. s. d.		s. d.		s. d.	
1	City of London		111,784	- -	1,666,006	- -	1,666,006	- -	138,048 16 11	- - -		1 8		1 8	
2	St. Marylebone		161,680	- -	1,053,748	- -	974,273	- -	72,754 6 2	- - -		1 4		1 6	
3	St. Pancras		198,788	- -	925,872	- -	985,684	- -	96,124 12 10	- - -		2 1		1 11	
4	Lambeth		162,044	- -	637,000	- -	596,074	- -	65,763 - 6	- - -		2 -		2 2	
5	St. George, Hanover-square		87,771	- -	1,076,272	- -	832,422	- -	49,163 7 11	- - -		- 11		1 2	
6	Islington, St. Mary		155,341	- -	777,632	- -	765,601	- -	57,340 7 9	- - -		1 5		1 6	
7	Shoreditch, St. Leonard		129,364	- -	386,044	- -	304,461	- -	40,459 10 9	- - -		2 1		2 8	
8	Paddington		75,784	- -	758,344	- -	685,434	- -	48,710 18 11	- - -		1 3		1 5	
9	St. Matthew, Bethnal Green		105,101	- -	192,116	- -	186,771	- -	19,613 3 -	- - -		2 -		2 1	
10	St. Mary, Newington, Surrey		82,220	- -	240,000	- -	209,366	- -	29,882 9 3	- - -		2 5		2 10	
11	Camberwell		71,488	- -	250,000	- -	310,978	- -	32,033 16 4	- - -		2 6		2 1	
12	St. James, Westminster		35,326	- -	462,032	- -	442,010	- -	23,750 3 1	- - -		1 -		1 1	
13	St. James and St. John, Clerkenwell		65,681	- -	242,524	- -	207,486	- -	20,004 11 9	- - -		1 7		1 11	
14	Chelsea		63,439	- -	299,868	- -	237,781	- -	24,648 8 11	- - -		1 7		2 1	
15	Kensington, St. Mary Abbotts		70,108	- -	501,132	- -	590,711	- -	39,403 18 7	- - -		1 7		1 4	
16	St. Luke, Middlesex		57,073	- -	186,452	- -	171,339	- -	14,859 - 4	- - -		1 7		1 9	
17	St. George the Martyr, Southwark		55,510	- -	146,000	- -	149,317	- -	17,847 13 11	- - -		2 5		2 6	
18	Bermondsey		58,355	- -	150,000	- -	195,142	- -	16,175 11 10	- - -		2 1		1 8	
19	St. George-in-the-East		48,891	- -	196,916	- -	167,031	- -	14,124 11 9	- - -		1 5		1 8	
20	St. Martin-in-the-Fields		22,689	- -	265,336	- -	280,237	- -	16,728 2 8	- - -		1 3		1 3	
21	Hamlet of Mile End Old Town		73,064	- -	191,056	- -	202,844	- -	17,606 3 2	- - -		1 10		1 9	
22	Woolwich		41,695	- -	83,000	- -	79,913	- -	10,532 8 1	- - -		2 6		2 8	
23	Rotherhithe		24,502	- -	83,500	- -	103,986	- -	11,917 7 2	- - -		2 10		2 3	
24	St. John, Hampstead		19,106	- -	147,624	- -	179,378	- -	21,843 12 3	- - -		2 11		2 5	
				1,976,804		10,918,474		10,524,275		899,336 3 10		1 8		1 8	
25	Whitechapel District	St. Mary, Whitechapel	37,454	- -	127,384	- -	126,301	- -	- - -	- - -		-		-	
26		Christchurch, Spitalfields	20,593	- -	47,636	- -	54,456	- -	- - -	- - -		-		-	
27		St. Botolph Without, Aldgate	4,000	- -	44,920	- -	40,426	- -	- - -	- - -		-		-	
28		Holy Trinity, Minories	420	- -	6,666	- -	7,839	- -	- - -	- - -		-		-	
29		St. Katharine, Precinct of	208	- -	17,272	- -	17,005	- -	- - -	- - -		-		-	
30		Mile End New Town, Hamlet of	10,845	- -	15,660	- -	17,139	- -	- - -	- - -		-		-	
31		Liberty of Norton Folgate	1,873	- -	8,952	- -	7,664	- -	- - -	- - -		-		-	
32		Old Artillery Ground	2,168	- -	4,670	- -	4,717	- -	- - -	- - -		-		-	
33		Tower, District of	1,409	- -	3,368	- -	3,513	- -	- - -	- - -		-		-	
				78,970		276,528		279,060		30,968 6 2		2 3		2 2	
34	Westminster District	St. Margaret and St. John, Westminster.	- -	67,890	- -	339,660	- -	441,673	- - -	22,303 13 3		1 4		1 -	
35	Greenwich District	St. Paul Deptford, including Hatcham.	37,834	- -	127,736	- -	131,547	- -	- - -	- - -		-		-	
36		St. Nicholas, Deptford	8,139	- -	16,000	- -	13,650	- -	- - -	- - -		-		-	
37		Greenwich	40,002	- -	131,240	- -	144,009	- -	- - -	- - -		-		-	
				85,975		274,976		289,206		19,698 4 10		1 5		1 4	
38	Wandsworth District	Clapham	20,894	- -	107,000	- -	115,642	- -	11,671 16 10	- - -		2 2		2 -	
39		Tooting Graveney	2,055	- -	9,800	- -	9,678	- -	861 4 8	- - -		1 9		1 9	
40		Streatham	8,027	- -	56,800	- -	75,547	- -	5,731 8 11	- - -		2 -		1 6	
41		St. Mary, Battersea (excluding Penge).	19,600	- -	83,800	- -	151,197	- -	14,900 13 5	- - -		3 6		1 11	
42		Wandsworth	13,346	- -	58,000	- -	68,667	- -	7,238 16 5	- - -		2 6		2 1	
43		Putney, including Roehampton	6,481	- -	46,000	- -	52,093	- -	5,117 15 5	- - -		2 3		1 11	
				70,403		361,400		472,824		45,521 15 8		2 6		1 11	
44	Hackney District	Hackney	76,687	- -	323,192	- -	371,607	- -	- - -	- - -		-		-	
45		St. Mary, Stoke Newington	6,608	- -	47,424	- -	44,538	- -	- - -	- - -		-		-	
				83,295		370,616		416,145		38,635 14 8		2 1		1 10	
		Carried forward	- -	2,363,337	- -	12,541,654	- -	12,423,183	- - -	1,056,463 18 5		-		-	

Application of the Above.

CASH paid to the Credit of the Lords Commissioners of Her Majesty's Treasury to Account of the Thames Embankment and Metropolis Improvement Fund.

		£. s. d.	£. s. d.
1862:			
6 March - -	Balance of London Bridge Approaches Fund - - -		137,992 18 1
1862:		£. s. d.	
13 February -	1 *d.* ton on Coals, 22 July to 30 Sept. 1861	3,629 6 1	
5 March - -	8 *d.* ton on Coals, and Duty on Wines - - - - - ditto -	30,310 13 5	
28 „ - -	9 *d.* ton on Coals, and Wine Duty to - - - 31 Dec. 1861	47,337 1 6	
13 June - -	- - Ditto - - 31 March 1862	39,795 9 6	
20 September -	- - Ditto - - 30 June „	36,961 14 3	
11 December -	- - Ditto - - 30 Sept. „	40,372 7 2	
			198,406 11 11
1863:			
17 March - -	- - Ditto - - 31 Dec. „	45,093 2 5	
20 June - -	- - Ditto - - 31 March 1863	46,910 9 8	
19 September -	- - Ditto - - 30 June „	36,256 10 10	
11 December -	- - Ditto - - 30 Sept. „	42,111 18 4	
			170,372 1 3
1864:			
9 March - -	- - Ditto - - 31 Dec. „	50,589 15 11	
11 June - -	- - Ditto - - 31 March 1864	47,367 15 2	
15 September -	- - Ditto - - 30 June „	44,009 13 9	
8 December -	- - Ditto - - 30 Sept. „	42,347 17 9	
			184,315 2 7
1865:			
8 March - -	- - Ditto - - 31 Dec. „	49,029 14 3	
9 June - -	- - Ditto - - 31 March 1865	51,386 8 10	
18 September -	- - Ditto - - 30 June „	47,522 5 8	
11 December	- - Ditto - - 30 Sept. „	46,646 13 1	
			194,585 1 10
1866:			
10 March - -	- - Ditto - - 31 Dec. „	- -	50,121 16 4
		£.	935,793 12 -

Chamber of London, Guildhall,
21 March 1866.

Benjamin Scott,
Chamberlain.

Appendix No. 6.

METROPOLITAN BOARD OF WORKS.

Vestries, District Boards, and the Metropolis Board of Works on Default of Vestries and District Boards (including Precepts of the Metropolitan Board of Works for Ordinary Expenses and as per Poor Rate, and the Population; to which is also added the Rate in the Pound on those Rentals respectively, also the Area in Statute Acres. The Information taken from the

Total Amount of Poor Rate Receipts for the Year ended Lady Day, 1864.				Total Amount of Rates received by City Authorities, Vestries, District Boards, &c., in respect of Poor, County, and Police, and the several Rates authorised to be levied under the Metropolis Local Management Acts and City Acts.				Approximate Rate in the £. after adding 10 per Cent. for Deficiencies.		Area in Statute Acres.		Number.	PARISHES, DISTRICTS, OR PARTS.	
Receipts.		Rate in the £. on		Receipts.		Rate in the £. on		On	On					
		County Rate Basis.	Poor Rate Rental.			County Rate Basis.	Poor Rate Rental.	County Rate Basis.	Poor Rate Rental.					
£. s. d.	£. s. d.	s. d.	s. d.	£. s. d.	£. s. d.	s. d.	s. d.	s. d.	s. d.					
152,575 18 4	- - -	1 10	1 10	290,624 15 3	- - -	3 6	3 6	3 10	3 10	704	-	1	City of London.	
94,001 2 -	- - -	1 9	1 11	166,755 8 2	- - -	3 2	3 5	3 6	3 9	1,509	-	2	St. Marylebone.	
103,736 15 -	- - -	2 3	2 1	199,861 7 10	- - -	4 4	4 -	4 9	4 5	2,716	-	3	St. Pancras.	
72,192 10 -	- - -	2 3	2 5	137,955 10 6	- - -	4 4	4 7	4 9	5 -	4,015	-	4	Lambeth.	
65,601 7 -	- - -	1 2	1 7	114,764 14 11	- - -	2 1	2 9	2 3	3 -	1,161	-	5	St. George, Hanover-square.	
59,402 19 -	- - -	1 6	1 6	116,743 6 9	- - -	3 -	3 -	3 4	3 3	3,127	-	6	Islington, St. Mary.	
45,506 5 -	- - -	2 4	3 -	85,965 15 9	- - -	4 5	5 8	4 10	6 3	646	-	7	Shoreditch, St. Leonard.	
39,883 9 -	- - -	1 -	1 2	88,594 7 11	- - -	2 4	2 7	2 7	2 10	1,245	-	8	Paddington.	
31,649 2 -	- - -	3 3	3 5	51,262 5 -	- - -	5 4	5 6	5 10	6 -	760	-	9	St. Matthew, Bethnal Green.	
34,966 19 -	- - -	2 10	3 4	64,849 8 3	- - -	5 4	6 2	5 10	6 9	624	-	10	St. Mary, Newington, Surrey.	
35,019 6 -	- - -	2 9	2 3	67,053 2 4	- - -	5 4	4 4	5 10	4 9	4,342	-	11	Camberwell.	
42,272 19 -	- - -	1 10	1 11	66,023 2 1	- - -	2 10	3 -	3 1	3 3	164	-	12	St. James, Westminster.	
27,732 13 -	- - -	2 2	2 8	47,737 4 9	- - -	3 10	4 7	4 2	5 -	380	-	13	St. James and St. John, Clerkenwell.	
29,823 10 -	- - -	2 -	2 6	54,471 18 11	- - -	3 7	4 7	3 11	5 -	865	-	14	Chelsea.	
35,034 5 -	- - -	1 4	1 2	74,438 3 7	- - -	2 11	2 6	3 2	2 9	1,942	-	15	Kensington, St. Mary Abbotts.	
27,323 7 -	- - -	2 11	3 2	42,182 7 4	- - -	4 6	4 11	4 11	5 5	220	-	16	St. Luke, Middlesex.	
32,332 7 -	- - -	4 5	4 4	50,180 - 11	- - -	6 10	6 9	7 6	7 5	282	-	17	St. George-the-Martyr, Southwark.	
26,540 6 -	- - -	3 6	2 9	42,715 17 10	- - -	5 8	4 5	6 3	4 10	688	-	18	Bermondsey.	
32,811 18 -	- - -	3 4	3 11	46,936 9 9	- - -	4 9	5 7	5 3	6 1	243	-	19	St. George-in-the-East.	
28,549 11 -	- - -	2 1	2 -	45,277 13 8	- - -	3 5	3 3	3 9	3 7	305	-	20	St. Martin-in-the-Fields.	
27,587 6 -	- - -	3 -	2 9	45,193 9 2	- - -	4 9	4 6	5 3	4 11	681	-	21	Hamlet of Mile End Old Town.	
16,240 12 -	- - -	3 11	4 1	26,773 - 1	- - -	6 5	6 9	7 -	7 5	1,596	-	22	Woolwich.	
18,913 12 -	- - -	4 6	3 8	30,830 19 2	- - -	7 4	5 11	8 1	6 6	886	-	23	Rotherhithe.	
10,503 8 -	- - -	1 5	1 2	32,347 - 3	- - -	4 4	3 7	4 9	3 11	2,252	-	24	St. John, Hampstead.	
	1,090,201 6 4	2 -	2 1		1,989,537 10 2	3 8	3 9	4 -	4 1		31,353			
20,240 8 -	- - -	3 2	3 2	- -	- - -	-	-	-	-	174	-	25	St. Mary, Whitechapel -	
9,849 16 -	- - -	4 2	3 7	- -	- - -	-	-	-	-	74	-	26	Christchurch, Spitalfields -	
6,810 7 -	- - -	3 -	3 4	- -	- - -	-	-	-	-	37	-	27	St. Botolph Without, Aldgate	
816 14 -	- - -	2 6	2 1	- -	- - -	-	-	-	-	5	-	28	Holy Trinity, Minories -	
1,947 11 -	- - -	2 3	2 3	- -	- - -	-	-	-	-	23	-	29	St. Katherine, Precinct of -	Whitechapel District.
3,513 3 -	- - -	4 6	4 1	-	- - -	-	-	-	-	42	-	30	Mile End New Town, Hamlet of	
1,265 3 -	- - -	3 1	3 3	- -	- - -	-	-	-	-	9	-	31	Liberty of Norton Folgate -	
785 19 -	- - -	3 5	3 5	- -	- - -	-	-	-	-	5	-	32	Old Artillery Ground - -	
410 - -	- - -	2 5	2 5	- -	- - -	-	-	-	-	37	-	33	Tower, District of - -	
	45,639 1 -	3 4	3 3		76,607 7 2	5 7	5 6	6 2	6 -		406			
- - -	34,730 4 -	2 -	1 7	- -	57,033 17 3	3 4	2 7	3 8	2 10	917	-	34	St. Margaret and St. John, Westminster - - -	Westminster District.
16,920 17 -	- - -	2 8	2 7	- -	- - -	-	-	-	-	1,609	-	35	St. Paul, Deptford, including Hatcham - - - -	Greenwich District.
4,323 11 -	- - -	5 5	6 5	- -	- - -	-	-	-	-	149	-	36	St. Nicholas, Deptford - -	
21,741 8 -	- - -	3 4	3 -	- -	- - -	-	-	-	-	2,013	-	37	Greenwich - - - -	
	42,985 16 -	3 1	3 -		62,684 - 10	4 6	4 4	4 11	4 9		4,688			
11,792 16 -	- - -	2 2	2 -	23,464 12 10	- - -	4 5	4 1	4 10	4 6	1,233	-	38	Clapham - - - -	
1,389 8 -	- - -	2 10	2 10	2,250 12 8	- - -	4 8	4 8	5 1	5 1	561	-	39	Tooting Graveney - -	
5,840 4 -	- - -	2 1	1 6	11,571 12 11	- - -	4 1	3 1	4 6	3 4	2,904	-	40	Streatham - - - -	
8,853 15 -	- - -	2 1	1 2	23,754 8 5	- - -	5 8	3 2	6 8	3 6	2,343	-	41	St Mary, Battersea (excluding Penge) - - - -	Wandsworth District.
9,081 18 -	- - -	3 1	2 7	16,320 14 5	- - -	5 7	4 9	6 1	5 2	2,478	-	42	Wandsworth - - -	
5,630 11 -	- - -	2 5	2 1	10,748 6 5	- - -	4 8	4 1	5 1	4 6	2,176	-	43	Putney, including Roehampton	
	42,588 12 -	2 4	1 10		88,110 7 8	4 10	3 9	5 -	4 1		11,695			
27,448 19 -	- - -	1 8	1 6	- -	- - -	-	-	-	-	3,290	-	44	Hackney - - - -	Hackney District.
3,318 6 -	- - -	1 5	1 6	- -	- - -	-	-	-	-	639	-	45	St. Mary, Stoke Newington -	
	30,767 5 -	1 8	1 6		69,402 19 8	3 9	3 4	4 -	3 8		3,929			
- - -	1,286,912 4 4	-	-	- -	2,43,876 2 9	-	-	-	-		49,971			

(E.)

APPLICATION of the Above.

CASH paid to the Credit of the Lords Commissioners of Her Majesty's Treasury to Account of the THAMES EMBANKMENT and METROPOLIS IMPROVEMENT FUND.

		£. s. d.	£. s. d.
1862:			
6 March - -	Balance of London Bridge Approaches Fund - - -		137,992 18 1
1862:		£. s. d.	
13 February -	1*d.* ton on Coals, 22 July to 30 Sept. 1861	3,629 6 1	
5 March - -	8*d.* ton on Coals, and Duty on Wines - - - - - ditto -	30,310 13 5	
28 „ - -	9*d.* ton on Coals, and Wine Duty to - - - 31 Dec. 1861	47,337 1 6	
13 June - -	- - Ditto - - 31 March 1862	39,795 9 6	
20 September -	- - Ditto - - 30 June „	36,961 14 3	
11 December -	- - Ditto - - 30 Sept. „	40,372 7 2	
			198,406 11 11
1863:			
17 March - -	- - Ditto - - 31 Dec. „	45,093 2 5	
20 June - -	- - Ditto - - 31 March 1863	46,910 9 8	
19 September -	- - Ditto - - 30 June „	36,256 10 10	
11 December -	- - Ditto - - 30 Sept. „	42,111 18 4	
			170,372 1 3
1864:			
9 March - -	- - Ditto - - 31 Dec. „	50,589 15 11	
11 June - -	- - Ditto - - 31 March 1864	47,367 15 2	
15 September -	- - Ditto - - 30 June „	44,009 13 9	
8 December -	- - Ditto - - 30 Sept. „	42,347 17 9	
			184,315 2 7
1865:			
8 March - -	- - Ditto - - 31 Dec. „	49,029 14 3	
9 June - -	- - Ditto - - 31 March 1865	51,386 8 10	
18 September -	- - Ditto - - 30 June „	47,522 5 8	
11 December	- - Ditto - - 30 Sept. „	46,646 13 1	
			194,585 1 10
1866:			
10 March - -	- - Ditto - - 31 Dec. „	- -	50,121 16 4
		£.	935,793 12 -

Chamber of London, Guildhall, 21 March 1866.

Benjamin Scott,
Chamberlain.

RETURN showing the Total Amount of Taxation in the Metropolis under the Provisions of the Metropolis Local Management Acts and City Acts,

Number.	PARISHES, DISTRICTS, OR PARTS.	Population, as per Census 1861.		County Rate Basis or like Estimate, 1866.		Poor Rate. Rateable Annual Value, March 1866. (From Information obtained from Vestry Clerks.		Total Amount of Local Taxation by the City Authorities, Vestries, and District Boards, including Precepts of Metropolitan Board. Receipts for the Latest Period of 12 Months preceding June 1864.		Rate in the £. on County Rate Basis.	Rate in the £. on Poor Rate Rental.
				£.	£.	£.	£.	£. s. d.	£. s. d.	s. d.	s. d.
	Brought forward	- -	2,363,337	- -	12,541,654	- -	12,423,183	- - -	1,056,463 18 5	—	—
46	St. Giles District - St. Giles, and St. George, Bloomsbury.	- -	54,076	- -	277,412	- -	246,433	- - -	22,694 14 4	1 7	1 10
47	Holborn District - St. Andrew, and St. George-the-Martyr.	32,251	- -	141,280	- -	127,484	- -	10,119 16 4	- - -	1 5	1 7
48	Holborn District - St. Sepulchre	4,609	- -	17,488	- -	18,225	- -	1,128 1 3	- - -	1 3	1 3
49	Holborn District - Saffron Hill, &c.	7,148	- -	31,696	- -	28,062	- -	2,301 — 3	- - -	1 5	1 8
50	Holborn District - Liberty of Glasshouse Yard	1,455	- -	4,154	- -	4,235	- -	256 9 —	- - -	1 3	1 3
			45,463		194,618		178,006		13,805 6 10	1 5	1 7
51	Strand District - St. Anne, Soho	17,426	- -	96,236	- -	82,399	- -	7,248 2 8	- - -	1 6	1 9
52	Strand District - St. Paul, Covent Garden	5,154	- -	49,020	- -	45,776	- -	3,429 — 2	- - -	1 5	1 6
53	Strand District - Precinct of the Savoy	380	- -	9,112	- -	8,264	- -	730 18 6	- - -	1 7	1 9
54	Strand District - St. Mary-le-Strand	2,072	- -	17,956	- -	15,917	- -	1,513 18 6	- - -	1 8	1 11
55	Strand District - St. Clement Danes	15,592	- -	95,676	- -	83,793	- -	7,442 4 3	- - -	1 7	1 9
56	Strand District - Liberty of the Rolls	2,274	- -	18,808	- -	16,866	- -	1,450 18 4	- - -	1 6	1 9
			42,898		286,808		253,015		21,815 2 5	1 6	1 8
57	Fulham District - St. Peter and St. Paul, Hammersmith.	24,519	- -	104,928	- -	121,484	- -	9,260 18 10	- - -	1 9	1 6
58	Fulham District - Fulham	15,539	- -	66,948	- -	77,236	- -	3,561 16 —	- - -	1 1	— 11
			40,058		171,876		198,720		12,822 14 10	1 6	1 3
59	Limehouse District - St. Anne, Limehouse	27,161	- -	87,844	- -	70,797	- -	- - -	- - -	—	—
60	Limehouse District - St. John of Wapping	4,038	- -	42,556	- -	44,702	- -	- - -	- - -	—	—
61	Limehouse District - St. Paul, Shadwell	8,499	- -	42,648	- -	38,211	- -	- - -	- - -	—	—
62	Limehouse District - Ratcliffe, Hamlet of	16,874	- -	61,560	- -	49,937	- -	- - -	- - -	—	—
			56,572		234,608		203,647		22,896 5 7	1 11	2 3
63	Poplar District - All Saints, Poplar	43,529	- -	212,112	- -	211,936	- -	15,819 14 1	- - -	1 6	1 5
64	Poplar District - St. Mary, Stratford-le-Bow	11,586	- -	48,796	- -	61,772	- -	4,622 10 1	- - -	1 11	1 6
65	Poplar District - St. Leonard, Bromley	24,081	- -	83,412	- -	83,643	- -	5,423 16 3	- - -	1 3	1 3
			79,196		344,320		357,351		25,866 — 5	1 6	1 5
66	St. Saviour's District - Christchurch, Southwark	17,069	- -	63,000	- -	57,480	- -	- - -	- - -	—	—
67	St. Saviour's District - St. Saviour, including Clink Liberty.	19,101	- -	101,000	- -	87,012	- -	- - -	- - -	—	—
			36,170		164,000		144,492		14,206 16 —	1 9	1 11
68	Plumstead District - Charlton, next Woolwich	8,472	- -	42,358	- -	44,602	- -	- - -	- - -	—	—
69	Plumstead District - Plumstead	24,502	- -	54,290	- -	55,937	- -	- - -	- - -	—	—
70	Plumstead District - Eltham	3,009	- -	18,286	- -	20,038	- -	- - -	- - -	—	—
71	Plumstead District - Lee	6,162	- -	49,704	- -	51,786	- -	- - -	- - -	—	—
72	Plumstead District - Kidbrooke	804	- -	11,646	- -	12,213	- -	- - -	- - -	—	—
			42,949		176,284		184,576		16,185 8 9	1 10	1 9
73	Lewisham District - Lewisham, including Sydenham	22,808	- -	177,070	- -	183,608	- -	- - -	- - -	—	—
74	Lewisham District - Hamlet of Penge	5,015	- -	43,800	- -	84,633	- -	- - -	- - -	—	—
			27,823		220,870		268,241		21,487 3 11	1 11	1 7
75	St. Olave's District - St. Olave	6,197	- -	58,000	- -	63,458	- -	- - -	- - -	—	—
76	St. Olave's District - St. Thomas, Southwark	1,466	- -	4,700	- -	7,838	- -	- - -	- - -	—	—
77	St. Olave's District - St. John, Horsleydown	11,393	- -	48,000	- -	48,981	- -	- - -	- - -	—	—
			19,056		110,700		120,277		11,353 2 9	2 —	1 11
			2,807,598		14,723,150						
78	The Close of the Collegiate Church of St. Peter	- -	323	1,456	- -	- -	- -	18 4 6	- - -	— 3	—
79	The Charter House	- -	255	1,948	- -	- -	- -	47 16 —	- - -	— 6	—
80	Inner Temple	- -	148	19,992	- -	- -	- -	250 12 —	- - -	— 3	—
81	Middle Temple	- -	81	13,000	- -	- -	- -	162 10 —	- - -	— 3	—
82	Lincoln's Inn	- -	47	17,244	- -	- -	- -	215 11 —	- - -	— 3	—
83	Gray's Inn	- -	308	12,652	- -	- -	- -	316 19 9	- - -	— 6	—
84	Staple Inn	- -	42	2,248	- -	- -	- -	28 2 6	- - -	— 3	—
85	Furnival's Inn	- -	202	3,164	- -	- -	- -	39 11 —	- - -	— 3	—
					71,704				1,079 6 9		
			2,809,004	- -	14,794,854	- -	14,577,941	- - -	1,240,676 1 —	1 8	1 8

Spring Gardens, 22 March 1866.

Vestries, District Boards, and the Metropolis Board of Works on Default of Vestries a[illegible]
and as per Poor Rate, and the Population; to which is also added the Rate in the Pound on those Rentals respectively, also the Area in Statute Acres. The Information taken from the

Total Amount of Poor Rate Receipts for the Year ended Lady Day, 1864.					Total Amount of Rates received by City Authorities, Vestries, District Boards, &c., in respect of Poor, County, and Police, and the several Rates authorised to be levied under the Metropolis Local Management Acts and City Acts.				Approximate Rate in the £. after adding 10 per Cent. for Deficiencies.		Area in Statute Acres.		Number.	PARISHES, DISTRICTS, or PARTS.	
Receipts.		Rate in the £. on			Receipts.		Rate in the £. on		On County Rate Basis.	On Poor Rate Rental.					
		County Rate Basis.	Poor Rate Rental.			County Rate Basis.	Poor Rate Rental.							
£. s. d.	£. s. d.	s. d.	s. d.	£. s. d.	£. s. d.	s. d.	s. d.	s. d.	s. d.					
152,575 18 4	- - -	1 10	1 10	290,624 15 3	- - -	3 6	3 6	3 10	3 10	704	-	1	City of London.	
94,001 2 -	- - -	1 9	1 11	166,755 8 2	- - -	3 2	3 5	3 6	3 9	1,509	-	2	St. Marylebone.	
103,736 15 -	- - -	2 3	2 1	199,861 7 10	- - -	4 4	4 -	4 9	4 5	2,716	-	3	St. Pancras.	
72,192 10 -	- - -	2 3	2 5	137,955 10 6	- - -	4 4	4 7	4 9	5 -	4,015	-	4	Lambeth.	
65,601 7 -	- - -	1 2	1 7	114,764 14 11	- - -	2 1	2 9	2 3	3 -	1,161	-	5	St. George, Hanover-square.	
59,402 19 -	- - -	1 6	1 6	116,743 6 9	- - -	3 -	3 -	3 4	3 3	3,127	-	6	Islington, St. Mary.	
45,506 5 -	- - -	2 4	3 -	85,965 15 9	- - -	4 5	5 8	4 10	6 3	646	-	7	Shoreditch, St. Leonard.	
39,883 9 -	- - -	1 -	1 2	88,594 7 11	- - -	2 4	2 7	2 7	2 10	1,245	-	8	Paddington.	
31,649 2 -	- - -	3 3	3 5	51,262 5 -	- - -	5 4	5 6	5 10	6 -	760	-	9	St. Matthew, Bethnal Green.	
34,966 19 -	- - -	2 10	3 4	64,849 8 3	- - -	5 4	6 2	5 10	6 9	624	-	10	St. Mary, Newington, Surrey.	
35,019 6 -	- - -	2 9	2 3	67,053 2 4	- - -	5 4	4 4	5 10	4 9	4,342	-	11	Camberwell.	
42,272 19 -	- - -	1 10	1 11	66,023 2 1	- - -	2 10	3 -	3 1	3 3	164	-	12	St. James, Westminster.	
27,732 13 -	- - -	2 2	2 8	47,737 4 9	- - -	3 10	4 7	4 2	5 -	380	-	13	St. James and St. John, Clerkenwell.	
29,823 10 -	- - -	2 -	2 6	54,471 18 11	- - -	3 7	4 7	3 11	5 -	865	-	14	Chelsea.	
35,034 5 -	- - -	1 4	1 2	74,438 3 7	- - -	2 11	2 6	3 2	2 9	1,942	-	15	Kensington, St. Mary Abbotts.	
27,323 7 -	- - -	2 11	3 2	42,182 7 4	- - -	4 6	4 11	4 11	5 5	220	-	16	St. Luke, Middlesex.	
32,332 7 -	- - -	4 5	4 4	50,180 - 11	- - -	6 10	6 9	7 6	7 5	282	-	17	St. George-the-Martyr, Southwark.	
26,540 6 -	- - -	3 6	2 9	42,715 17 10	- - -	5 8	4 5	6 3	4 10	688	-	18	Bermondsey.	
32,811 18 -	- - -	3 4	3 11	46,936 9 9	- - -	4 9	5 7	5 3	6 1	243	-	19	St. George-in-the-East.	
28,549 11 -	- - -	2 1	2 -	45,277 13 8	- - -	3 5	3 3	3 9	3 7	305	-	20	St. Martin-in-the-Fields.	
27,587 6 -	- - -	3 -	2 9	45,193 9 2	- - -	4 9	4 6	5 3	4 11	681	-	21	Hamlet of Mile End Old Town.	
16,240 12 -	- - -	3 11	4 1	26,773 - 1	- - -	6 5	6 9	7 -	7 5	1,596	-	22	Woolwich.	
18,913 12 -	- - -	4 6	3 8	30,830 19 2	- - -	7 4	5 11	8 1	6 6	886	-	23	Rotherhithe.	
10,503 8 -	- - -	1 5	1 2	32,347 - 3	- - -	4 4	3 7	4 9	3 11	2,252	-	24	St. John, Hampstead.	
	1,090,201 6 4	2 -	2 1		1,989,537 10 2	3 8	3 9	4 -	4 1		31,353			
20,240 8 -	- - -	3 2	3 2	- -	- - -	-	-	-	-	174	-	25	St. Mary, Whitechapel -	Whitechapel District.
9,849 16 -	- - -	4 2	3 7	- -	- - -	-	-	-	-	74	-	26	Christchurch, Spitalfields -	
6,810 7 -	- - -	3 -	3 4	- -	- - -	-	-	-	-	37	-	27	St. Botolph Without, Aldgate	
816 14 -	- - -	2 6	2 1	- -	- - -	-	-	-	-	5	-	28	Holy Trinity, Minories -	
1,947 11 -	- - -	2 3	2 3	- -	- - -	-	-	-	-	23	-	29	St. Katherine, Precinct of -	
3,513 3 -	- - -	4 6	4 1	-	- - -	-	-	-	-	42	-	30	Mile End New Town, Hamlet of	
1,265 3 -	- - -	3 1	3 3	- -	- - -	-	-	-	-	9	-	31	Liberty of Norton Folgate -	
785 19 -	- - -	3 5	3 5	- -	- - -	-	-	-	-	5	-	32	Old Artillery Ground - -	
410 - -	- - -	2 5	2 5	- -	- - -	-	-	-	-	37	-	33	Tower, District of - -	
	45,639 1 -	3 4	3 3		76,607 7 2	5 7	5 6	6 2	6 -		406			
- - -	34,730 4 -	2 -	1 7	- -	57,033 17 3	3 4	2 7	3 8	2 10	917	-	34	St. Margaret and St. John, Westminster - - -	Westminster District.
16,920 17 -	- - -	2 8	2 7	- -	- - -	-	-	-	-	1,609	-	35	St. Paul, Deptford, including Hatcham - - - -	Greenwich District.
4,323 11 -	- - -	5 5	6 5	- -	- - -	-	-	-	-	149	-	36	St. Nicholas, Deptford - -	
21,741 8 -	- - -	3 4	3 -	- -	- - -	-	-	-	-	2,013	-	37	Greenwich - - - -	
	42,985 16 -	3 1	3 -		62,684 - 10	4 6	4 4	4 11	4 9		4,688			
11,792 16 -	- - -	2 2	2 -	23,464 12 10	- - -	4 5	4 1	4 10	4 6	1,233	-	38	Clapham - - - -	Wandsworth District.
1,389 8 -	- - -	2 10	2 10	2,250 12 8	- - -	4 8	4 8	5 1	5 1	561	-	39	Tooting Graveney - -	
5,840 4 -	- - -	2 1	1 6	11,571 12 11	- - -	4 1	3 1	4 6	3 4	2,904	-	40	Streatham - - - -	
8,853 15 -	- - -	2 1	1 2	23,754 8 5	- - -	5 8	3 2	6 8	3 6	2,343	-	41	St Mary, Battersea (excluding Penge) - - - -	
9,081 18 -	- - -	3 1	2 7	16,320 14 5	- - -	5 7	4 9	6 1	5 2	2,478	-	42	Wandsworth - - -	
5,630 11 -	- - -	2 5	2 1	10,748 6 5	- - -	4 8	4 1	5 1	4 6	2,176	-	43	Putney, including Roehampton	
											11,695			

by the City Authorities, Vestries, District Boards, and the Metropolitan Board of Works on Default of Vestries and District Boards—*continued.*

Total Amount of Poor Rate Receipts for the Year ended Lady Day, 1864.		Rate in the £. on		Total Amount of Rates received by City Authorities, Vestries, District Boards, &c., in respect of Poor, County, and Police, and the several Rates authorised to be levied under the Metropolis Local Management Acts and City Acts.		Rate in the £. on		Approximate Rate in the £. after adding 10 per Cent. for Deficiencies.		Area in Statute Acres.		Number.	PARISHES, DISTRICTS, OR PARTS.
Receipts.		County Rate Basis.	Poor Rate Rental.	Receipts.		County Rate Basis.	Poor Rate Rental.	On County Rate Basis.	On Poor Rate Rental.				
£ s. d.	£. s. d.	s. d.	s. d.	£. s. d.	£. s. d.	s. d.	s. d.	s. d.	s. d.	£.	£.		
- - -	1,286,912 4 4	-	-	- - -	2,343,376 2 9	-	-	-	-	-	52,071	-	
- - -	27,663 - -	2 -	2 3	- - -	50,357 14 4	3 7	4 1	3 11	4 6	245	245	46	St. Giles, and St. George, Bloomsbury - - - - St. Giles District.
15,470 4 -	- - -	2 2	2 5	25,590 - 4	- - -	3 7	4 -	3 11	4 4	111	-	47	St. Andrew, and St. George-the-Martyr - - -
1,550 9 -	- - -	1 9	1 8	2,678 10 3	- - -	3 -	2 11	3 3	3 2	20	-	48	St. Sepulchre - - - Holborn District.
3,944 10 -	- - -	2 6	2 10	6,245 10 3	- - -	3 11	4 6	4 4	4 11	30	-	49	Saffron Hill, &c. - - -
Included in City.	- - -	-	-	256 9 -	- - -	1 3	1 3	1 4	1 -	5	-	50	Liberty of Glasshouse Yard -
	20,965 3 -	2 2	2 4		34,770 9 10	3 7	3 11	3 11	4 3		166		
11,072 5 -	- - -	2 3	2 8	18,320 7 8	- - -	3 10	4 5	4 2	4 10	53	-	51	Saint Anne, Soho - - -
4,924 - -	- - -	2 -	2 2	8,353 - 2	- - -	3 5	3 8	3 9	4 -	26	-	52	St. Paul, Covent Garden -
825 4 -	- - -	1 10	2 -	1,556 2 6	- - -	3 5	3 9	3 9	4 1	11	-	53	Precinct of the Savoy - -
2,013 8 -	- - -	2 3	2 6	3,527 6 6	- - -	3 11	4 5	4 3	4 10	22	-	54	St. Mary-le-Strand - - Strand District.
12,313 17 -	- - -	2 7	2 11	19,756 1 3	- - -	4 2	4 8	4 7	5 1	44	-	55	St. Clement Danes - -
1,626 19 -	- - -	1 9	1 11	3,077 17 4	- - -	3 3	3 8	3 7	4 -	11	-	56	Liberty of the Rolls - -
	32,775 13 -	2 3	2 7		54,590 15 5	3 9	4 4	4 1	4 9		167		
13,676 10 -	- - -	2 7	2 3	22,937 8 10	- - -	4 4	3 9	4 9	4 1	2,321	-	57	St. Peter and St. Paul, Hammersmith - - - - Fulham District.
10,710 19 -	- - -	3 2	2 9	14,272 15 -	- - -	4 3	3 8	4 8	4 -	1,834	-	58	Fulham - - - -
	24,387 9 -	2 10	2 5		37,210 3 10	4 4	3 9	4 9	4 1		4,155		
14,606 19 -	- - -	3 4	4 1	- -	- - -	-	-	-	-	265	-	59	St. Anne, Limehouse - -
6,949 16 -	- - -	3 3	3 1	- -	- - -	-	-	-	-	80	-	60	St. John of Wapping - - Limehouse District.
8,109 - -	- - -	3 10	4 3	- -	- - -	-	-	-	-	99	-	61	St. Paul, Shadwell - -
10,887 4 -	- - -	3 6	4 4	- -	- - -	-	-	-	-	132	-	62	Ratcliffe, Hamlet of - -
	40,552 19 -	3 5	4 -		63,449 4 7	5 5	6 3	5 11	7 -		576		
26,434 7 -	- - -	2 6	2 6	42,254 1 1	- - -	4 -	4 -	4 5	4 5	1,490	-	63	All Saints, Poplar - -
4,930 9 -	- - -	2 -	1 7	9,552 19 1	- - -	3 11	3 1	4 4	3 4	809	-	64	St. Mary, Stratford-le-Bow - Poplar District.
7,818 8 -	- - -	1 11	1 10	13,242 4 3	- - -	3 2	3 2	3 6	3 5	619	-	65	St. Leonard, Bromley - -
	39,183 4 -	2 3	2 2		65,049 4 5	3 9	3 8	4 1	4 -		2,918		
10,454 4 -	- - -	3 3	3 7	- -	- - -	-	-	-	-	95	-	66	Christchurch, Southwark -
16,583 15 -	- - -	3 3	3 10	- -	- - -	-	-	-	-	155	-	67	St. Saviour, including Clink Liberty - - - - St. Saviour's District.
	27,037 19 -	3 4	3 9		41,244 15 -	5 1	5 8	5 7	6 2		250		
5,573 5 -	- - -	2 7	2 6	- -	- - -	-	-	-	-	1,342	-	68	Charlton, next Woolwich -
3,841 5 -	- - -	1 5	1 4	- -	- - -	-	-	-	-	3,715	-	69	Plumstead - - - -
1,542 14 -	- - -	1 8	1 6	- -	- - -	-	-	-	-	3,712	-	70	Eltham - - - - Plumstead District.
2,693 14 -	- - -	1 1	1 -	- -	- - -	-	-	-	-	1,273	-	71	Lee - - - - -
581 12 -	- - -	1 -	- 11	- -	- - -	-	-	-	-	755	-	72	Kidbrooke - - - -
	14,232 10 -	1 7	1 6		30,417 18 9	3 5	3 3	3 9	3 7		10,797		
11,350 1 -	- - -	1 3	1 3	- -	- - -	-	-	-	-	5,789	-	73	Lewisham, including Sydenham Lewisham District.
4,069 12 -	- - -	1 10	- 11	- -	- - -	-	-	-	-	840	-	74	Hamlet of Penge - - -
	15,419 13 -	1 4	1 2		36,906 16 11	3 4	2 9	3 8	3 -		6,629		
6,384 10 -	- - -	2 2	2 -	- -	- - -	-	-	-	-	66	-	75	St. Olave - - - -
709 10 -	- - -	3 1	1 10	- -	- - -	-	-	-	-	9	-	76	St. Thomas, Southwark - - St. Olave's District.
7,952 4 2	- - -	3 4	3 3	- -	- - -	-	-	-	-	94	-	77	St. John, Horsleydown - -
	15,046 4 2	2 8	2 6		26,399 6 11	4 9	4 4	5 3	4 9		169		
											78,143		
- - -	- - -	-	-	18 4 6	- - -	- 3	-	-	-	included in St. Margaret.	-	78	The Close of the Collegiate Church of St. Peter.
- - -	- - -	-	-	47 16 -	- - -	- 6	-	-	-	10	-	79	The Charter House.
- - -	- - -	-	-	250 12 -	- - -	- 3	-	-	-	16	-	80	Inner Temple.
- - -	- - -	-	-	162 10 -	- - -	- 3	-	-	-	5	-	81	Middle Temple.
- - -	- - -	-	-	215 11 -	- - -	- 3	-	-	-	9	-	82	Lincoln's Inn.
- - -	- - -	-	-	316 19 9	- - -	- 6	-	-	-	13	-	83	Gray's Inn.
- - -	- - -	-	-	28 2 6	- - -	- 3	-	-	-	1	-	84	Staple Inn.
- - -	- - -	-	-	39 11 -	- - -	- 3	-	-	-	2	-	85	Furnival's Inn.
					1,079 6 9						56		
- - -	1,544,175 18 6	2 1	2 1	- -	2,784,851 19 6	3 9	3 9	4 1	4 1	-	78,199		

(signed) *Edward Hughes*, Accountant.

Appendix, No. 7.

EXTRACT from an ACCOUNT specifying the TOTAL SUM charged upon and received from every PARISH, TOWNSHIP, PRECINCT, and PLACE, for the Purposes of the METROPOLITAN POLICE, for the Year 1863, as required by the Act 10 Geo. 4, c. 44, s. 29, ordered by the House of Commons to be printed, 11th March 1864.

HALF-YEARLY WARRANTS issued on the 1st January and the 1st July 1863.

COUNTY.	Letter of Division.	PARISHES, &c.	Rental upon which Computed.	TOTAL of the Rate for the Year, at 8 *d.* in the Pound.	Charged upon the Parishes, at 6 *d.* in the Pound.	Received from the Parishes.	Balances due by Parishes on 31 Dec. 1863.
			£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Middlesex	K	All Saints, Poplar	202,295 – –	6,743 3 4	5,057 7 6	5,057 7 6	—
Surrey	V	Battersea	96,441 10 –	3,214 14 4	2,411 – 9	2,411 – 9	—
Middlesex	K	Bromley, St. Leonards	66,096 – –	2,203 4 –	1,652 8 –	1,652 8 –	—
Kent	R	Carlton	35,812 – –	1,193 14 8	895 6 –	895 6 –	—
Middlesex	G	Charterhouse	1,948 – –	64 18 8	48 14 –	48 14 –	—
Surrey	L	Christchurch	63,000 – –	2,100 – –	1,575 – –	1,575 – –	—
Middlesex	H	Christchurch, Spitalfields	40,530 10 –	1,351 – 4	1,013 5 3	1,013 5 3	—
Surrey	V	Clapham	112,574 10 –	3,752 9 8	2,814 7 3	2,814 7 3	—
Kent	R	Eltham	16,660 – –	555 6 8	416 10 –	416 10 –	—
Middlesex	V	Fulham	59,398 10 –	1,979 19 –	1,484 19 3	720 13 6	764 5 9
Ditto	G	Furnival's Inn (the part within Middlesex)	3,166 – –	105 10 8	79 3 –	79 3 –	—
Ditto	G	Glasshouse Yard, Liberty of	5,336 – –	177 17 4	133 8 –	133 8 –	—
Ditto	E	Gray's Inn	12,676 – –	422 10 8	316 18 –	316 18 –	—
Ditto	T	Hammersmith	82,399 10 –	2,746 13 –	2,059 19 9	2,059 19 9	—
Ditto	T	Kensington	408,906 10 –	13,630 4 4	10,222 13 3	10,222 13 3	—
Kent	R	Kidbrooke, Liberty of	9,469 – –	315 12 8	236 14 6	236 14 6	—
Ditto	R	Lee	41,507 – –	1,383 11 4	1,037 13 6	1,037 13 6	—
Ditto	R	Lewisham	147,188 – –	4,906 5 4	3,679 14 –	3,679 14 –	—
Middlesex	F	Lincoln's Inn	16,421 – –	547 7 4	410 10 6	410 10 6	—
Ditto	H	Mile-End New Town, Hamlet of	15,397 – –	513 4 8	384 18 6	384 18 6	—
Ditto	K	Mile-End Old Town, Hamlet of	165,128 10 –	5,504 5 8	4,128 4 3	4,128 4 3	—
Ditto	H	Norton Folgate, Liberty of	8,142 10 –	271 8 4	203 11 3	203 11 3	—
Ditto	H	Old Artillery Ground	4,232 – –	141 1 4	105 16 –	105 16 –	—
Ditto	H	Old Tower	2,924 – –	97 9 4	73 2 –	73 2 –	—
Ditto	D	Paddington	598,681 10 –	19,956 1 –	14,967 – 9	14,967 – 9	—
Surrey	P	Penge, Hamlet of	52,480 10 –	1,749 7 –	1,312 – 3	1,312 – 3	—
Kent	R	Plumstead	48,731 10 –	1,624 7 8	1,218 5 9	1,218 5 9	—
Surrey	V	Putney, including Roehampton	46,667 – –	1,555 11 4	1,166 13 6	1,166 13 6	—
Middlesex	K	Ratcliffe, Hamlet of	48,536 – –	1,617 17 4	1,213 8 –	1,213 8 –	—
Ditto	F	Rolls, Liberty of the	16,830 – –	561 – –	420 15 –	420 15 –	—
Surrey	M	Rotherhithe	84,155 – –	2,805 3 4	2,103 17 6	2,103 17 6	—
Middlesex	G	St. Andrew, Holborn, and St. George-the-Martyr	126,213 – –	4,207 2 –	3,155 6 6	3,155 6 6	—
Ditto	K	St. Ann, Limehouse	68,211 10 –	2,273 14 4	1,705 5 9	1,705 5 9	—
Ditto	C	St. Ann, Westminster	92,291 – –	3,076 7 4	2,307 5 6	2,307 5 6	—
Ditto	H	St. Catherine, Tower Division	15,649 – –	521 12 8	391 4 6	391 4 6	—
Ditto	H	St. Clements Danes, Westminster, and that within the Duchy Liberty	91,869 – –	3,062 6 –	2,296 14 6	2,296 14 6	—
Ditto	H	St. George-in-the-East	168,783 – –	5,626 2 –	4,219 11 6	4,219 11 6	—
Ditto	C	St. George, Hanover Square	969,994 – –	32,333 2 8	24,249 17 –	24,249 17 –	—
Surrey	M	St. George, Southwark	146,000 – –	4,866 13 4	3,650 – –	3,650 – –	—
Ditto	P	St. Giles, Camberwell	257,106 – –	8,570 4 –	6,427 13 –	6,427 13 –	—
Middlesex	E	St. Giles-in-the-Fields, and St. George, Bloomsbury	261,697 – –	8,723 4 8	6,542 8 6	6,452 8 6	—
Ditto	G	St. James, Clerkenwell, including the District of St. John	223,876 – –	7,462 10 8	5,596 18 –	5,596 18 –	—
Ditto	C	St. James, Westminster	431,502 – –	14,383 8 –	10,787 11 –	10,787 11 –	—
Ditto	H	St. John, Hackney	290,411 10 –	9,680 7 8	7,260 5 9	7,260 5 9	—
Ditto	S	St. John, Hampstead	119,644 – –	3,988 2 8	2,991 2 –	2,991 2 –	—
Surrey	M	St. John, Southwark	48,201 – –	1,606 14 –	1,205 – 6	1,205 – 6	—

COUNTY.	Letter of Division.	PARISHES, &c.	Rental upon which Computed.	TOTAL of the Rate for the Year, at 8 *d.* in the Pound.	Charged upon the Parishes at 6 *d.* in the Pound.	Received from the Parishes.	Balance due by Parishes on 31 Dec. 1863.
			£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Middlesex	K	St. John, Wapping	34,232 – –	1,141 1 4	855 16 –	855 16 –	—
Ditto	G	St. Leonard, Shoreditch	295,046 10 –	9,834 17 8	7,376 3 3	7,376 3 3	—
Ditto	V	St. Luke, Chelsea	241,972 10 –	8,065 15 –	6,049 6 3	6,049 6 3	—
Ditto	G	St. Luke, Finsbury	173,392 – –	5,779 14 8	4,334 16 –	4,334 16 –	—
Ditto	B	St. Margaret and St. John, Westminster	287,857 10 –	9,595 5 –	7,196 8 9	7,196 8 9	—
Ditto	F	St. Martin-in-the-Fields	258,864 – –	8,628 16 –	6,471 12 –	6,471 12 –	—
Ditto	N	St. Mary, Islington	690,359 10 –	23,011 19 8	17,258 19 9	17,258 19 9	—
Surrey	L	St. Mary, Lambeth	651,018 – –	21,700 12 –	16,275 9 –	16,275 9 –	—
Middlesex	D	St. Marylebone	983,583 – –	32,786 2 –	24,589 11 6	24,589 11 6	—
Ditto	F	St. Mary-le-Strand, Westminster, and that part within the Duchy Liberty	19,335 – –	644 10 –	483 7 6	483 7 6	—
Surrey	M	St. Mary Magdalene, Bermondsey	156,534 – –	5,217 16 –	3,913 7 –	3,913 7 –	—
Ditto	P	St. Mary, Newington	241,207 10 –	8,040 5 –	6,030 3 9	6,030 3 9	—
Middlesex	N	St. Mary, Stoke Newington	44,372 – –	1,479 1 4	1,109 6 –	1,109 6 –	—
Ditto	K	St. Mary, Stratford, Bow	37,841 10 –	1,261 7 8	946 – 9	946 – 9	—
Ditto	H	St. Mary, Whitechapel	117,121 10 –	3,904 1 –	2,928 – 9	2,928 – 9	—
Ditto	H	St. Matthew, Bethnal Green	143,729 10 –	4,790 19 9	3,593 4 9	3,593 4 9	—
Kent	R	St. Nicholas, Deptford	20,488 – –	682 18 8	512 4 –	512 4 –	—
Surrey	M	St. Olave, Southwark	52,266 – –	1,742 4 –	1,306 13 –	1,306 13 –	—
Middlesex	S	St. Pancras	856,418 – –	28,547 5 4	21,410 9 –	21,410 9 –	—
Ditto	F	St. Paul, Covent Garden	44,535 – –	1,484 10 –	1,113 7 6	1,113 7 6	—
Kent	R	St. Paul, Deptford, including the Hamlet of Hatcham	102,582 – –	3,419 8 –	2,564 11 –	2,564 11 –	—
Middlesex	K	St. Paul, Shadwell	49,128 – –	1,637 12 –	1,228 4 –	1,228 4 –	—
Ditto	B	St. Peter's, Westminster, Close of the Collegiate Church of	1,422 – –	47 8 –	35 11 –	35 11 –	—
Surrey	M	St. Saviour's, and Clink Liberty	102,358 – –	3,411 18 8	2,558 19 –	2,558 19 –	—
Middlesex	G	St. Sepulchre, Finsbury	16,554 – –	551 16 –	413 17 –	413 17 –	—
Surrey	M	St. Thomas, Southwark	4,700 – –	156 13 4	117 10 –	117 10 –	—
Middlesex	G	Saffron Hill, Hatton Garden, and Ely Rents, Liberty of	27,724 – –	924 2 8	693 2 –	693 2 –	—
Ditto	F	Savoy, Precinct of	8,680 – –	289 6 8	217 – –	217 – –	—
Ditto	H	Smithfield, East	49,467 – –	1,648 18 –	1,236 13 6	1,236 13 6	—
Ditto	F	Staple's Inn	2,155 – –	71 16 8	53 17 6	53 17 6	—
Surrey	P	Streatham	59,016 10 –	1,967 4 4	1,475 8 3	1,475 8 3	—
Ditto	V	Tooting	9,910 10 –	330 7 –	247 15 3	247 15 3	—
Middlesex	H	Trinity, Minories	6,423 10 –	214 2 4	160 11 9	160 11 9	—
Surrey	V	Wandsworth	60,689 10 –	2,022 19 8	1,517 4 9	1,517 4 9	—
Kent	R	Woolwich	90,420 – –	3,014 – –	2,260 10 –	2,260 10 –	—

EXTRACT from the ANNUAL ACCOUNTS of the Chamberlain of the City of *London*, ordered to be printed the 11th July 1864.

The Chamberlain in account with the Corporation of London, in respect of the POLICE FUND, pursuant to Act 2 & 3 Vict., for the year ending 31st December 1863.

Cash received on account of Rate - - - - - £. 37,040 6 4½

	£.	s.	d.
City Police Rate	37,040	6	4½
Metropolitan Police Rate	294,164	10	9
TOTAL	£. 331,204	17	1½

App. No. 8.

Appendix, No. 8.

EXTRACT from ELECTORAL RETURNS of BOROUGHS and COUNTIES, 1865–66.

CITIES AND BOROUGHS.*	Population, Computed 1866.	Gross Estimated Rental.	Rateable Value.	Gross Annual Value of all Messuages, or Tenements and Lands, including Tithe Rent Charge, according to the Income Tax Assessment, Schedule A, omitting Railways and other Properties Assessed upon Profits.	Gross Estimated Rental of the same description of Property, according to the Valuation Act.
		£.	£.	£.	£.
City of London - -	104,908	2,363,633	1,920,582	2,030,438†	2,303,664†
The Tower Hamlets -	710,179	2,769,217	2,152,293	2,390,314	2,301,615
Finsbury - - -	423,560	1,997,600	1,708,400	2,032,567	1,921,472
Marylebone - -	473,091	3,093,030	2,634,503	3,136,063	2,955,562
Westminster - -	261,389	2,558,716	2,245,645	2,858,306	2,501,352
Lambeth - - -	319,403	1,360,708	1,023,871	1,438,161	1,307,635
Southwark - -	204,872	909,560	702,834	801,588	740,476
Greenwich - - -	160,086	498,694	406,170	527,471	438,094‡
TOTALS - - -	2,657,488	15,551,158	12,794,298	15,214,908	14,469,870

* The above cities and boroughs do not include the following parishes and districts within the metropolis:—Hampstead, Chelsea, Kensington, Fulham District, Wandsworth District, Plumstead, and Lewisham.

† The explanation offered of the discrepancy of these accounts is that certain properties, such as Gas and Water Pipes, Telegraphs, Hospitals, &c., which are rated to the poor, are not assessed to the Revenue Tax, Schedule A.

‡ The Clerk to the Guardians of the Greenwich Union states that he has come to the conclusion that the Gross Estimated Rental shown in the Valuation Lists is below the actual rack rent, especially in the parishes of Saint Nicholas and Saint Paul, Deptford. In the other parishes the deficiency is not so great, Greenwich being about a fair estimate, and Woolwich somewhat below. The result of the comparison of the Income Tax and Poor Rate Assessments will, he believes, lead to the Assessment Committee bringing up the parishes of Saint Nicholas and Saint Paul, Deptford, and Woolwich, to the proper standard. He at the same time states that he believes the Income Tax Assessment to be in many cases too high.

EXTRACT from Account of the Metropolitan Board of Works, Appendix No. 6, and from Registrar General's Estimate, in Appendix No 9.

	Population Computed 1866.	County Rate Assessment.	Poor Rate Assessment.
		£.	£.
Hampstead - - - - -	24,122	147,624	179,378
Chelsea - - - - - -	67,199	299,868	237,787
Kensington - - - - -	88,443	501,132	590,711
Fulham District - - - -	45,856	171,876	198,720
Wandsworth District - - - -	83,985	361,400	472,824
Plumstead - - - - -	49,225	176,284	184,576
Lewisham - - - - -	28,065	229,870	268,241

Appendix, No. 9.

PAPERS handed in by the Chairman.

POPULATION Enumerated 8 April 1861, and Estimated for 8 April 1866, of TWENTY-TWO METROPOLITAN PARISHES, or parts of Parishes (within the Registrar General's limits), not within any Parliamentary Borough.

App. No. 9.

PARISHES.	Enumerated Population 8 April 1861.	Estimated Population 8 April 1866.
Chelsea	63,493	67,199
Fulham	15,539	17,767
Hammersmith	24,519	28,809
Hampstead	19,106	24,122
Kensington	70,108	88,443
Clerkenwell (part of in Colney Hatch-lane)	42	42
Battersea	19,600	26,703
Clapham	20,894	23,663
Lambeth (part of)	19,146	34,693
Putney	6,481	7,180
Streatham	8,027	8,657
Tooting	2,055	2,055
Wandsworth	13,346	15,727
Dulwich (in Camberwell parish)	1,723	1,770
Charlton (part of)	1,197	1,424
Eltham	3,009	3,257
Greenwich (part of)	72	79
Kidbrooke	804	1,063
Lee	6,162	8,116
Lewisham	22,808	28,065
Plumstead (part of)	19,219	35,365
Woolwich (part of)	720	1,402
TOTAL	338,016	425,601

The estimated numbers given as the population in 1866 are derived from the ascertained ratio of increase in each case between 1851 and 1861.

George Graham,
Registrar General.

General Register Office, Somerset House,
13 April 1866.

POPULATION enumerated 8th April 1861, and estimated for 8th April 1866, of the METROPOLIS (within the Registrar General's limits).

	POPULATION.	
	Enumerated Population 8 April 1861.	Estimated Population 8 April 1866.
In Parliamentary Boroughs	2,465,973	2,629,339
Not within Parliamentary Boroughs	338,016	425,601
TOTAL of the Metropolis	2,803,989	3,054,940

George Graham,
Registrar General.

General Register Office, Somerset House,
20 April 1866.

Appendix, No. 10.

App. No. 10. COPY of PROCEEDINGS of the COURT of COMMON COUNCIL and of COMMITTEES of that Court in reference to the Extension of the FOURPENNY COAL DUTY and the proposed Application of that Duty to purposes of Public Improvement within the City of *London*, or in its immediate Vicinity, resulting in the Legislation of 1861 and 1863.

(Given in Evidence by Mr. Deputy *Fry*, Chairman of the Improvement Committee of the Corporation of London).

EXTRACTS FROM THE MINUTES.

20th October 1859.

COURT of COMMON COUNCIL.

RESOLVED and Ordered, "That having regard to the early termination of the Acts of Parliament for regulating the vend and delivery of coals, and the possible earlier expiration of some of the duties now collected on coals, it be referred to the Coal and Corn and Finance Committee to consider the subject and report thereon to this Court."

15th November 1859.

COAL and CORN and FINANCE COMMITTEE.

THE above reference read and referred to the Select Committee to consider the same and report thereon.

"Referred to Mr. Chamberlain, Mr. Remembrancer, and the clerk and registrar of the Coal Market, to consider and report to the Select Committee at what period the present charges upon the produce of the 8*d.* and 1*d.* coal dues will be paid off, and in their opinion what course it will be advisable for the Corporation to take with reference to the convenience of the trade, and with the view of obtaining such a renewal of the Act as will secure to the Corporation their existing rights with reference to revenue arising from duty on coals."

7th December 1859.

SELECT COAL and CORN and FINANCE COMMITTEE.

THE Committee proceeding in the consideration of the reference of the 15th ultimo on the subject of the early termination of the Acts of Parliament for regulating the vend and delivery of coals, and the possible earlier expiration of some of the duties now collected on coals.

A report from the Chamberlain, the Remembrancer, and the clerk and registrar of the Coal Market thereon, with their opinion as to the course it will be advisable for the Corporation to take with reference to the convenience of the trade, agreeably to the reference of the 15th ultimo, was laid before the Committee, and read as follows:

To the Worshipful the Select Coal, Corn and Finance Committee.

Gentlemen,

In obedience to your orders of the 15th November, "to consider and report to your Worshipful Committee at what period the present charges upon the produce of the 8*d.* and 1*d.* coal dues will be paid off, and what course in our opinion it will be advisable for the Corporation to take with reference to the convenience of the trade, and with the view of obtaining such a renewal of the Act as will secure to the Corporation their existing rights with reference to the revenue arising from duty on coals," we beg to submit the following statement:

The vend and delivery of coals in London and Westminster, and in certain parts of the adjacent counties of Middlesex, Surrey, Kent, Essex, Hertfordshire, Buckinghamshire, and Berkshire were regulated previously to the year 1832 by the measurement of that article. The Corporation of London, by prescription and charter, exercising the right of metage in the port of London and its branches, metage on land being conducted by meters otherwise employed. The Act of 1 & 2 Will. 4, effected a complete change in the ancient mode of delivering coals in the port of London, and in their sale, both wholesale and retail, that article being subsequently to the passing of that Act delivered and sold by weight instead of by measure, as had formerly been the case.

The Government and the Corporation were parties to this Act, the latter body consenting to commute their rights in relation to metage and other payments to which they were entitled, taking upon themselves also the compensations to be paid to the sea coal meters (*i.e.*, meters in the port),

port), who were deprived of their offices by the operation of the Act. These compensations, as arranged with the Lords Commissioners of the Treasury, amounting at that time to the sum of 18,870*l.* per annum, have been paid annually to this date, being now (1859) reduced by decrease of annuitants to about 5,500*l.* per annum. The duty of 10*d.* (4*d.* and 6*d.*) on the chaldron, which had been mortgaged by the authority of Parliament for the execution of certain street improvements, and which formed part of the revenue of the fund called the "London Bridge Approaches Fund," was commuted at 8*d.* a ton, which continued to be paid to this date in aid of metropolitan improvements effected beyond the City's jurisdiction. This fund, to which the proceeds of the duty of 8*d.* per ton is carried, now stands pledged for the repayment of the amounts undermentioned.

	£.	*s.*	*d.*
To Her Majesty's Commissioners of Woods, &c., balance of moneys raised for effecting improvements in Westminster and Southwark - - - - -	69,460	3	6
To the Corporation for moneys raised for improvement at Clerkenwell - - -	88,000	–	–
To the Metropolitan Board of Works in relation to improvement in Covent Garden - - - - -	35,000	–	–
TOTAL present charge on the fund (exclusive of interest to accrue) £.	192,460	3	6

This sum of 192,460*l.*, with interest, the Chamberlain estimates will have been satisfied by about the month of April 1861, and the fund will then cease, provided no fresh charges are made upon it by the Legislature.

The duty of 1*d.* per ton will likewise cease in July 1862. This duty, originally imposed for the purpose of providing a market for the coal trade, was by the Corporation relinquished in the year 1846, the proceeds having been found sufficient to provide a new and commodious structure for that purpose; it has since been applied in aid of the public improvements in the Metropolis, under the directions of Her Majesty's Commissioners of Woods and Forests. We believe that the charges upon this duty have been satisfied, and the produce is now accumulated by that branch of Her Majesty's Government towards forming a fund for such further metropolitan improvements as Parliament shall direct and sanction.

The Act to which we have referred (1 & 2 Will. 4), would have expired in 1838, but its powers were continued (with certain modifications hereinafter stated) for a further period of seven years, by the Act of 1 & 2 Vict. c. 101; its powers were again continued for a further period of 16½ years by the Act 8 & 9 Vict. c. 101. The system introduced in 1832, of delivering and dealing in coals by weight, has thus been continued uninterruptedly for 27 years; several modifications have taken place during the same period in relation to the collection of the duties, all of which were concessions to the convenience of the trade, or recognitions of the principle that the area of taxation should be as nearly as possible coincident with that benefited by the expenditure of the duties. The alterations have been as follows:— The Act 1 & 2 Vict. granted a drawback of 12*d.* per ton on coals exported from the port of London coastwise, or to foreign ports. App. No. 10.

The Act 8 & 9 Vict. rendered uniform the distance from London at which the duties were leviable, fixing that point at 20 miles from the General Post Office. Previously to this Act the duties were leviable at various points round London, not equally distant from the centre, but averaging about 20 miles from that point; doubts having arisen as to the precise interpretation of the latter Act, the Act of 14 & 15 Vict. directed that the distance should be measured "in a direct line." The same Act made a further concession by granting a drawback of 12*d.* on all coals consumed beyond the distance of 20 miles from the General Post Office. Previously to the passing of this Act many places 50 miles and more from London, being supplied with coals on which duty had been paid in the Thames, virtually paid the duties, although in no degree participating in the advantages arising from their application in effecting metropolitan improvements. A further concession to the convenience of trade was made by the Act 20 & 21 Vict., whereby a drawback of 12*d.* per ton was granted on coals exported from the port of London, or carried out of the London district, whether the same had been landed or removed, or otherwise. The Government concurred with the Corporation in making these several concessions, which were considered as demanded by the fair requirements of trade.

A deputation has recently attended the Committee, representing the manufacturing interest in the Metropolis, with a request that the Corporation (so far as they are interested in the duties) would concede a further drawback upon coals used in manufacturing processes. The Committee, following the course hitherto pursued, brought the subject before the Court of Common Council, suggesting that they should be authorised to ascertain the opinion of Her Majesty's Government, as on former occasions.

The Court, not seeing fit to grant this authority, your Committee are, we conceive, precluded from entertaining the subject in any shape, it being undesirable to take any step in a matter of so much importance in the absence of an expression of opinion on the part of Her Majesty's Government, who are more largely interested in the duties than are the Corporation.

As to the course which it will be desirable for the Corporation to take with reference to the convenience of the trade, and securing the existing rights of the Corporation, we beg to state that we believe that the trade and the public would be found almost unanimous in their opinion that the system of weighing coals had proved satisfactory, and that they would desire that it should be continued.

We believe that the Corporation has no interest in expressing any opinion, or taking any action in reference to the duties of 8*d.* and 1*d.* per ton, if the Legislature should desire to continue them after July 1862; or, on the other hand, if they should be allowed to cease at, or prior to, that period.

If the system of dealing in coals by weight be continued, *the Corporation will claim, of course, the continuance of the commuted duty equivalent to their prescriptive rights; but we respectfully suggest that it may be worthy of consideration whether, in contending for their just rights in this*

 respect,

App. No.10.

respect, it may not be sound policy to agree to set apart this duty (the present charges being satisfied) as solely applicable to the effecting of improvements, which, while they are projected and carried out by the Corporation within the limits of the City's jurisdiction, shall likewise be such as shall be beneficial to the metropolis at large, a point to be previously decided by the Lords Commissioners of Her Majesty's Treasury. With reference to the steps to be taken by the Corporation for securing their rights, we are not, in the absence of any authority to the Committee, "to treat with the Government, prepared with any suggestion of a practical kind, conceiving, as we have before stated, that in a matter in which both parties are mutually interested it will be most undesirable to proceed until a conference between the parties interested shall have taken place."

We have, &c.
(signed) *Benjamin Scott,*
Chamberlain.
Ed. Tyrrell,
Remembrancer.
J. R. Scott,
Clerk and Registrar of Coal Market.

Guildhall, 6 December 1859.

[NOTE.—It will be observed that this Report originates (in the words underlined*) the suggestion subsequently adopted by the Corporation, and carried out in the legislation of 1861 and 1863, to the effect that the 4*d.* coal duty should be applied in future by the Corporation in effecting public improvements within their own jurisdiction.]

* Printed in *italics.*

Resolved, That this Committee do approve thereof, and it is ordered that the said Report be submitted to the Grand Committee.

8th December 1859.

COURT of COMMON COUNCIL.

Upon a motion made, it was—
Resolved and Ordered, That it be referred to the Corn and Finance Committee to confer with Her Majesty's Government upon the subject of the coal dues, and to report from time to time to this Court.

20th December 1859.

GRAND COAL and CORN and FINANCE COMMITTEE.

The proceedings of the Select Committee of the 7th instant, relative to the coal dues were read and agreed to.

The order of reference from the Court of Common Council of the 8th instant, to confer with Her Majesty's Government upon the subject of the coal duties, was read.

Resolved, That it be referred to the Select Committee to hold the said conference, and to report thereon.

26th January 1860.

COAL and CORN and FINANCE COMMITTEE.

Mr. Remembrancer attending, informed the Committee that he had had a conference with Sir George Cornewall Lewis, Her Majesty's Principal Secretary of State for the Home Department, on the subject of the coal dues.

Mr. Chamberlain was heard thereon.

The report of the Chamberlain, the Remembrancer, and the Clerk and Registrar of the Coal Market thereon, as read in the Select Committee on the 7th December last, was read.

Resolved, That the spirit of the communication made by Mr. Remembrancer relative to the coal dues be reported to the Court, and asking authority to watch the progress of any Bill that may be introduced into Parliament for their renewal or otherwise, and to report from time to time.

[NOTE.—This communication being considered of a confidential character was not communicated in a written report, but verbally by the Remembrancer.]

7th February 1861.

EXTRACT from report of Coal and Corn and Finance Committee, agreed to by the Court of Common Council on the 7th February 1861.

"That your Committee have from time to time had under their consideration the subject of the renewal of the existing arrangements for continuing the coal duties, but Her Majesty's Government not having introduced any Bill on the subject during the last Session of Parliament, your Committee will watch proceedings on the subject as they shall arise, reporting from time to time to your Honourable Court."

19th February 1861.

COAL and CORN and FINANCE COMMITTEE.

Referred to Special Committee to watch any measure that may be introduced into Parliament affecting the coal dues, with power to confer with Her Majesty's Government if necessary.

4th March 1861.

COAL and CORN and FINANCE COMMITTEE

Mr. Remembrancer laid before the Committee the draft of a Bill, intituled "London Wine and Coal Duties Continuance Bill," with which he had been furnished.

A plan showing the proposed alterations to the radius of the Metropolitan Police area was inspected.

Referred to the Chamberlain, the Remembrancer, and the Clerk and Registrar of the Coal Market to continue the negotiation with Her Majesty's Government, with power to consult the Special Committee if necessary.

Referred to the Special Committee, to watch the progress of the said Bill, with power to confer with Her Majesty's Goverment, and take such steps as may appear advisable, reporting thereon from time to time.

12th April 1861.

COURT of COMMON COUNCIL.

The following Report from the Coal and Corn and Finance Committee relative to proceedings in connection with the London Coal and Wine Dues Continuance Bill was read, agreed to, and referred back for execution, viz.:—

"To the Right Honourable the Lord Mayor, Aldermen and Commons of the City of London, in Common Council assembled.

"We, whose names are hereunto subscribed, of your Coal and Corn and Finance Committee, to whom, on the 21st day of March last, it was referred to watch the progress of the London Coal and Wine Dues Continuance Bill in Parliament, and report thereon, do certify that we have duly proceeded therein, and have consulted with the officers who have made due search into the Records of the Corporation with respect to the questions involved, and they have presented to us a Report upon the subject, which is hereunto annexed (Appendix).

"That, through the medium of a Special Committee appointed by us for the purpose, communications have been made with Sir George C. Lewis, Bart., Her Majesty's Secretary of State for the Home Department, with reference to some suggested alterations and amendments in the clauses of the Bill which have produced satisfactory results.

"We beg, therefore, to submit the proposed terms of the Bill as arranged, subject to the sanction of this Honourable Court, and we venture to urge upon the Court the desirability of at once agreeing to them, the more particularly as time presses, the Bill standing for re-committal this evening.

"The Bill proposes to continue the present wine and coal duties for a further period of ten years from the 5th of July 1862.

"The limits within which the coal duties are to be collected are to be restricted to the Metropolitan Police District, including the cities of London and Westminster, proper boundary marks being erected to prevent evasion of payment, but the limits being subject to much variety, will involve some increased difficulty in placing such marks.

"The 1*d.* and 8*d.* duties on coals, and the 4*s.* per tun on wines, after satisfying all the charges on the London Bridge Approaches Fund, are to be paid to the account of the Metropolitan Board of Works for the Thames Embankment and Metropolitan Improvement Fund, to be outlaid by the Board under the approval of Parliament.

"That the net proceeds of the City's duty of 4*d.* should be charged with the payment of interest upon and discharge of the principal of the sums, viz., 200,000*l.*, 200,000*l.*, and 40,000*l.*, making a total of 540,000*l.* charged by the Corporation upon such duty for public improvements.

"The other clauses of the Bill are framed to carry out the objects as set forth in the foregoing, and do not affect the principles of the measure.

"That, from the probability of the Bill receiving the Royal Assent within a few weeks from the present time, and then coming immediately into operation, the Committee are anxious to have the necessary authority from the Court in conformity with the proposed Bill, to make such alterations in the position of the boundary marks as they may think fit, and likewise to be empowered to consider the whole subject with a view to recommend such other alterations, and to submit suggestions with reference to the coal duties generally as may appear to them advisable. App. No. 10.

"Your Committee can assure the Court that the principles and proposals of the Bill have received their most attentive and earnest consideration, and they undoubtedly believe that by *acceding to the terms, and thereby assisting the Government in the passage of the measure through Parliament, this Honourable Court will be rendering essential service both to the present and future improvements of the metropolis, and the consequent advantage of its vast population*, and recommend that they should be empowered to make such arrangements with respect to the said Bill as shall appear to them necessary and expedient, reporting their proceedings to your Honourable Court.

"All which we submit to the judgment of this Honourable Court.

"Dated this 12th day of April, 1861.

"*Wm. Lawley*, and others."

APPENDIX.

To the Worshipful the Coal and Corn and Finance Committee.

Gentlemen,

IN obedience to your instructions, we have met and have very fully considered the terms of the Order of the Select Committee of the House of Commons of the 18th March last, and we are of opinion, and unanimously recommend—

1. That with reference to "the extracts of the Records of the Corporation, showing the nature and rates of the duties which have been collected on coals by the Corporation previous to 1831," Mr. Chamberlain do satisfy the Committee as to the "Orphan's Duties," the "London Bridge Approaches Fund Duties," and the "Coal Market Duty" respectively, and that in relation to the City's duty of 4*d.* per ton, he do direct the attention of the Select Committee to the Charter of 3 James 1, as recited in Act 1 & 2 Will. 4, c. 76, also the Act 5 & 6 Will. and Mary, c. 10, which acknowledges the City's right of *metage* then existing, and that he do further produce to the Committee the Act of Common Council of 1663 (15 Chas. 2, Oct. 24), showing the rate of metage previous to the Fire of London, and also the minute book of the sea coal meters in trust of the date 1690, showing the same rate of 4*d.* per chaldron then payable, and that the present search be continued, and any further information on the same point which may be discovered, be produced to the Committee.

With reference to the charge of 8*d.* per ton on coal *weighable*, we suggest that Mr. Chamberlain do produce the Charter of 12 James I. respecting coals *weighable*, and also the evidence of Mr. B. W. Scott, late Chief Clerk in the Chamber, as given before the Select Committee of the House of Commons in 1830, as to the practice of charging 8*d.* a ton on certain coals *weighed* previously to that date, and that Mr. Chamberlain do from his own department, or from that of Mr. W. M. Russell, procure such further evidence as he may be able in support of such practice, or from any of

App. No. 10.

the working sea coal meters who may now be living.

2. With reference to the "objects and purposes for which the City's duty is collected, and the services rendered," we think that Mr. Chamberlain should represent the offices of *measurer* and *weigher*, as offices of pecuniary profit, and that the profits thereof are the property of the Corporation, but that the Corporation have acted upon the conviction that such right of property involves a moral, although not a legal obligation to expend an amount equivalent to such property upon objects of general public utility; and moreover, that large sums have been so expended, and now remain charged upon the duty in question, lists of which charges may be produced.

3. With reference to the production to the Committee of the "form of obligations by which such funds have been raised," we are of opinion that it would not be in accordance with the practice of Parliament to require the Corporation to produce that which is the title of other parties, and that this should be respectfully represented to the Committee accordingly.

We are, &c.

(signed) *Benjamin Scott*, Chamberlain.
F. Woodthorpe, Town Clerk.
Ferd. Brand, Comptroller.
E. Tyrrell, Remembrancer.

Guildhall, 5 April 1861.

4th July 1861.

Common Council.

Report Coal and Corn and Finance Committee of Proceedings in Parliament on the London Coal and Wine Dues Continuance Bill.

Read, and agreed to.

Ordered, That the Report be printed in the minutes of proceedings sent to every member of this Court, and the same is as follows:—

To the Right Honourable The Lord Mayor, Aldermen, and Commons of the City of London, in Common Council assembled:

We, whose names are hereunto subscribed, of your Coal and Corn and Finance Committee, to whom, on the 21st day of March last, it was referred to watch the progress of the London Coal and Wine Dues Continuance Bill in Parliament, and to report thereon, do certify that since our report of the 12th day of April last to your Honourable Court, in which we gave a detailed account of the clauses in the said Bill, and of the amendments made therein, which were agreed to by your Honourable Court, the said Bill has passed through Committee of the whole House of Commons, and been read a third time in that Honourable House.

That several further amendments were proposed to be made in the said Bill in the Committee of the whole House of Commons, which were *not* agreed to, and the only amendments made therein, with the exception of some verbal amendments, were that in Clause 5 "the Commissioners of Her Majesty's Treasury" were substituted for "the Metropolitan Board of Works;" and that in Clause 6, which directs that the 4*d.* coal duty belonging to the Corporation of London shall be applied in the first instance in the payment of the sums of 540,000*l.* and interest raised by the Corporation on the credit of the said 4*d.* duty, the following words were added: "and that after discharging the said sums and interest, the said duty of 4*d.* shall be applied by the said Corporation of London towards or in aid of such a public improvement or improvements in or adjacent to the City of London as Parliament shall hereafter sanction."

That your Committee, having considered the said amendments, and after hearing the opinions of Mr. Recorder, Mr. Chamberlain, and Mr. Remembrancer thereon, have unanimously resolved to recommend your Honourable Court to agree to the amendments which have been made in the said Bill, all which is respectfully submitted.

Dated this 3d day of July 1861.

(signed) *Wm. Lawley*, and others.

25th July.

Common Council.

Mr. Remembrancer laid before the Court a copy of the Act of Parliament lately passed, intituled "An Act to continue the Duties levied on Coal and Wine by the Corporation of London."

Resolved and Ordered, That it be referred to the Coal and Corn and Finance Committee to carry the said Act into execution.

11th December 1862.

Extract from a Report of the Improvement Committee presented to the Court of Common Council.

The whole subject (viz., the formation of the new street to the Mansion House) was very fully discussed, but we regret to state that the deputation were not successful in altering Mr. Cowper's decided opinion that the street forming an integral part of the general plan in connection with the embankment of the Thames, if the Corporation were not now prepared with funds to make the street from Chatham-place to the Mansion House, the execution thereof must remain with the Metropolitan Board of Works.

Under these circumstances, therefore, and as connected most materially with the future appropriation of the 4*d.* coal duty, the deputation, by our instructions and under the previous authority of this Honourable Court, brought under the notice of Mr. Cowper the most important improvement before referred to in connection with the raising of Holborn Valley.

The details of the scheme were fully explained by the City's architect and in the result Mr. Cowper

Cowper expressed his approval of a continuation of the 4*d.* coal duty for a further period of 10 years, the produce to be applied by the Corporation of London in the first instance to the raising of Holborn Valley, and afterwards to such other improvements within the City as Parliament may sanction.

* * * * * *

We beg, therefore, to recommend that we should be authorised to take such steps as may be necessary to carry into effect the proposed arrangements with the Chief Commissioner of Works in reference to obtaining the sanction of Parliament for the continuation of the 4*d.* coal duty for the purposes stated. App. No. 10.

Resolved and Ordered, That this Court doth agree with the Committee in their report, and that it be referred to them to continue their negotiations and to prosecute the contemplated improvements at Holborn Valley, and that it be referred to the Coal and Corn and Finance Committee to take such steps as may be necessary in reference to the continuance of the coal duties for accomplishing the objects before mentioned, and which were agreed to by Mr. Cowper, and to report thereon to this Court.

Appendix, No. 11.

App. No. 11.

PAPER put in by Mr. *Pownall,* and referred to in his Evidence, 22 March 1866.

MIDDLESEX.

Calculation for Basis of County Rate.

Parish of _____

	£.	£.
1. Property Tax Assessment, 1861-2, Schedule A. on which Duty is to be collected after all claims for reduction have been allowed - - - - -		
2. Add the amount allowed and deducted on the ground of Incomes being under 100 *l.* per annum - - -		
3. Deduct the amount charged under Schedule A. for tithe rent-charge, railroads, telegraph stations, &c., gas-works, pipes, &c., water-works, Canal Company's lands, &c., Dock Company's Lands, &c., and toll-houses and tolls, it not being intended to allow per-centage thereon, as the rateable value only is added below (*see* No. 7) - -		
4. Deduct manors and other royalties, fines on demises, and Crown rents		
5. Deduct for property charged under Schedule A., but exempt from poor rate - - - - - -		
		£.
6. Deduct 10 per Cent. from £. for taxes, &c. - - -		
7. Add rateable value as charged to the poor rate (*see* No. 3), viz.:—		
Tithe rent-charge - - - - - -		
Railroads - - - - - - -		
Telegraph stations, buildings, &c. - - - -		
Gas works, pipes, &c. - - - - - -		
Waterworks - - - - - - -		
Canal Company's lands, buildings, &c. - - -		
Dock Company's lands, buildings, &c. - - -		
Toll-houses and tolls - - - - - -		
Amount on which it is proposed to assess the county rate - - -		£.
The present county rate assessment is - - - - -		£.

December 1863.

Appendix, No. 12.

PAPERS handed in by Mr. *Watson*.

App. No. 12. The Honourable *Charles Gore* to the Lords Commissioners of the Treasury.

Office of Woods,
My Lords, 24 March 1863.

I ENCLOSE herewith a print of the Thames Embankment (south side) Bill, which has recently been brought into the House of Commons; and I have to request your instructions as to the nature of the clauses that should be inserted to protect the interests of the Crown.

It is proposed by that Bill to authorise the construction by the Metropolitan Board of Works of an embankment on the south or right bank of the Thames from Vauxhall Bridge to Westminster Bridge, and also the reclamation of a portion of the bed of the river or within those limits.

All the estate and interest to which Her Majesty on the 23d of February 1857 was entitled in right of Her Crown of, in and to the bed and shores of the River Thames, within the flux and reflux of the tides down to Yantlet Creek, were, with certain exceptions, vested by the Act 20 & 21 Vic. cap. 147, in the conservators of that river, subject to a condition that they shall pay annually to the Crown one third of the monies arising from any sales, leases, or licenses of any part of the River.

The portions excepted from the operation of the vesting clause comprise such parts of the bed or shores as are situated in front of any premises to which Her Majesty, or any person in trust for Her, was on 18th December 1856, seized or entitled in possession, reversion or remainder, or which were on that day in the possession of any Department of Her Majesty's Government.

The land below high water mark that will be required for the proposed Embankment, if it should be constructed according to the line shewn on the deposited plans, contains, at a rough measurement, about 6 acres. Of that quantity a small parcel abuts on Westminster Bridge, and is situated in front of certain premises, numbered 9, 10, 13, and 15 on the deposited plans, that were, I believe, the property or in the occupation of the Commissioners of Works on the 18th December 1856. The parcel of foreshore so required in front of those premises was therefore excepted from the operation of the vesting clause in the Conservancy Act to which I have already referred. A similar parcel, containing a few square feet, lies in front of a large house (No. 103) that was at that date occupied by the Lords of the Admiralty, and was in like manner excepted from the operation of that clause.

All the estate of Her Majesty in the residue of the foreshore required is vested in the conservators, subject to the condition already alluded to, for the payment to the Crown of one third of the proceeds to arise from any sales, &c.

In these circumstances it appears to me that the interests of the Crown will be sufficiently protected, as regard the last-mentioned foreshore, by the insertion in the Bill of a clause, similar to clause 75, in the Thames Embankment Act of last Session, (copy of which is sent herewith) with the omission of the words in parenthesis in the 3rd, 4th, and 5th lines.

As regards the several small parcels of foreshore, in front of the premises, in the occupation of the Commissioners of Works, and of the Lords of the Admiralty respectively, I have to state that, if your Lordships should be of opinion that the same course should be adopted as was taken under similar circumstances in the case of the Act of last Session, and that the Crown should not receive compensation for the foreshore so reserved, your wishes in that respect may, so far as regards this Department, be carried out by the insertion in the clause sent herewith, in lieu of the words in parenthesis in the 3rd, 4th, and 5th lines of the following words, also in parenthesis, viz.: "Except of so much thereof as will be situate in the portions of the bed or foreshore lying in front of the premises, numbered 9, 10, 13, 15, and 103, on the deposited plans, for which excepted parts other provision is made by this Act." A clause will, however, have to be added when prepared on behalf of the Admiralty and the Commissioners of Works, reserving to those defendants respectively the portions of the land to be reclaimed opposite the frontages, Nos. 9, 10, 13, 15, and 103.

In conclusion, I think it right to inform your Lordships, that I have reason to suppose that part of the foreshore at and near Vauxhall required for the embankment is claimed by the Duchy of Cornwall. You will, however, observe, that the vesting clause of the Conservancy Act of 1847, only vested all the estate and interest of Her Majesty in right of Her Crown in the conservators, and that the clause I now propose only provides for the ascertainment and payment of compensation for the diminution in value which may be caused by the works to be authorised by the proposed Act, in the rights and interests of Her Majesty, and the conservators under the Conservancy Act. In the event, therefore, of the claim of the Duchy of Cornwall being a valid one, the foreshore to which the claim of His Royal Highness the Prince of Wales may be substantiated, will not be affected by the proposed clause, but will have to be dealt with by the Metropolitan Board, subject to the provisions of the special clause No. 21, saving the rights of the Duchy of Cornwall.

I shall be glad to learn whether, subject to the preparation on behalf of the Board of Admiralty and of the Commissioners of Works, of a clause as to the land to be reclaimed opposite the frontages Nos. 9, 10, 13, 15, and 103, as to which you will probably think right to communicate with those Departments, your Lordships approve

approve of the insertion of a clause in the inclosed form for the protection of the interests of the Crown in the residue of the foreshore.

I am, &c.
(signed) *Charles Gore.*

To the Treasury.

The Secretary to the Treasury to the Honourable *Charles Gore.*

Treasury Chambers,
Sir, 8 May 1863.

With reference to your report of the 24th of March last, suggesting the insertion of a clause in the Thames Embankment (south side) Bill for the protection of the interests of the Crown, I am directed by the Lords Commissioners of Her Majesty's Treasury to transmit herewith copy of a report from the First Commissioner of Works on the subject, and to acquaint you that my Lords have approved of the course proposed by the First Commissioner for the insertion in the Bill of the clause prepared by you.

I am, &c.
(signed) *F. Peel.*

Honourable Charles Gore.

The First Commissioner of Works to the Lords Commissioners of the Treasury.

Office of Works, &c. S.W.
My Lords, 28 April 1863.

In reply to Mr. Hamilton's letter of the 16th instant, requesting my opinion on the suggestion offered by Mr. Gore, I have the honour to state that I consider it desirable that the Bill which I have introduced for the embankment of a part of the right shore of the Thames should deal with property in the foreshore on the principles which are embodied in the Thames Embankment Act, 1862.

On these principles the conservators of the Thames will be entitled to claim compensation from the Metropolitan Board of Works for the diminution in value occasioned by the execution of the embankment, to the foreshore vested in them, and the Hereditary Land Revenues will receive one-third of the amount of such compensation.

That portion of the foreshore which will be reclaimed between the embankment roadway and property belonging to or in the occupation of the Commissioners of Works, and of the Lords Commissioners of the Admiralty, will be added to such property, no payment being due to the Metropolitan Board for such reclamation of foreshore, and no payment due from them for the use of the foreshore which is covered by the public roadway on the embankment.

It is my intention to insert clauses in the Bill in Committee similar in effect to those contained in the Thames Embankment Act, and I am prepared to adopt the clause suggested by Mr. Gore. App. No. 12.

I am, &c.
(signed) *W. Cowper.*

The Right Honourable the
Lords Commissioners
of Her Majesty's Treasury.

Mr. H. Watson to Messrs. Dyson & Co.

Piccadilly and Park-lane New-road Bill.

Office of Woods,
Dear Sirs, 25 March 1865.

You are aware that this Bill is opposed by various Crown lessees and tenants who will submit to the Committee that the alterations suggested would neither provide in the most effectual manner for the public accommodation, nor be the most economical in execution. These points will be duly considered by the Committee, who will weigh the alleged advantages of, and objection to, the scheme, and will give their decision upon its merits.

The original Crown lessees, who are now represented by the petitioners against the Bill, took their leases on the faith of representations made, that the land at the end of Hamilton-place would be maintained as a garden (thus preventing the conversion of Hamilton-place into a thoroughfare) and it is considered by the Government to be only just to the Crown tenants that if the decision of the Committee is adverse to the petitioners, and their guarantee from the Crown is to be cancelled for the public benefit, proper compensation should at all events be secured to them. In order, therefore, to remove all doubt as to whether the case would or would not come strictly within the provisions of the "Lands Clauses Consolidation Act, 1845," and without prejudice to the decision of the Committee upon the scheme as a whole, I am directed to request that the inclosed clause 21a. may be inserted in the Bill.

Among the precedents for a similar provision I may refer to the following, viz. "The Midland Railway Act, 26 & 27 Vict. c. 74, s. 66," "The Metropolitan Railway Act, 1864, s. 43," "The North-Western and Charing-Cross Railway Act, 1864, s. 70.

I am also directed to transmit for insertion, the usual form of Crown saving clause, and to state that the compensation to the Land Revenue will include any injury to its reversionary interest in the houses mentioned in the clause 21a. consequent upon the execution of any of the works therein mentioned.

I am, &c.
(signed) *Horace Watson.*

Messrs. Dyson & Co.

SECOND

REPORT

FROM THE

SELECT COMMITTEE

ON

METROPOLITAN LOCAL GOVERNMENT, &c.;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed*,
30 *July* 1866.

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APPENDIX - - - - - - - - - - - p. 265

Tuesday, 27th February 1866.

Ordered, THAT a Select Committee be appointed to inquire into the Local Government and Local Taxation of the Metropolis.

Wednesday, 7th March 1866.

Committee nominated of—

Mr. Ayrton.	Lord John Manners.
Mr. Tite.	Mr. Beecroft.
Mr. Bazley.	Mr. Turner.
Mr. Locke.	Sir William Gallwey.
Mr. Alderman Lawrence.	Sir Matthew White Ridley.
Mr. Baring.	Mr. Sandford.
Mr. Mill.	Mr. Kekewich.
Mr. Hanbury.	

Ordered, THAT the Committee have power to send for Persons, Papers and Records.

Ordered, THAT Five be the Quorum of the Committee.

Friday, 23rd March 1866.

Ordered, THAT the Petition of Householders and Residents in the Camden-road, Holloway [presented 20th March], be referred to the Committee.

Monday, 9th April 1866.

Ordered, THAT the Report of the Select Committee on Metropolis Local Taxation in Session 1861, be referred to the Committee.

Friday, 13th April 1866.

Ordered, THAT the Petition of Merchants, Millers, and others, for inquiry before the Select Committee on Metropolitan Local Government, &c., into Claim of Corporation of London to Compulsory Metage, be referred to the Committee.

Monday, 16th April 1866.

Ordered, THAT the Petition of Landowners of Essex, against Charges levied by the City of London on Grain, &c., be referred to the Committee.

Ordered, THAT the Committee have power to report their Observations, together with the Minutes of Evidence taken before them, from time to time to The House.

Monday, 23rd April 1866.

Ordered, THAT the Petition of Landowners and others of the county of Kent [presented 20th April,] be referred to the Committee.

Friday, 4th May 1866.

Ordered, THAT the Petition of the Vestry of the Parish of St. Martin-in-the-Fields, Westminster, for an Appellate Jurisdiction with reference to many of the Powers entrusted to Vestries and District Boards, be referred to the Committee.

Wednesday, 9th May 1866.

Ordered, THAT Mr. Baring be discharged from further attendance on the Committee, and that Mr. Knatchbull-Hugessen be added thereto.

Thursday, 10th May 1866.

Ordered, THAT the Petition from Colchester, for inquiry into the Claim of the Corporation of London upon Grain, Seeds, &c., brought into the Port of London by Water, be referred to the Committee.

Monday, 14th May 1866.

Ordered, THAT the Petition from Maldon, against the Metage, &c. charges made by City of London on Grain, &c. arriving by Water, be referred to the Committee.

Monday, 28th May 1866.

Ordered, THAT the Petition of the Vestry of St. Mary Abbotts, Kensington, for an Appellate Jurisdiction, with reference to many of the Powers entrusted to Vestries and Local Boards, be referred to the Committee.

Monday, 4th June 1866.

Ordered, THAT the Petitions praying to be heard before the Select Committee,—from Chelsea, and St. Mary Abbotts, Kensington,—be referred to the Committee.

Monday, 25th June 1866.

Ordered, THAT the Petition from the Vestry of Bermondsey, praying to be heard before the Select Committee on the Local Government of the Metropolis, be referred to the Committee.

Monday, 30th July 1866.

Ordered, THAT the Committee have power to report their Observations, together with the Minutes of Evidence taken before them, to The House.

SECOND REPORT.

THE SELECT COMMITTEE appointed to inquire into the LOCAL GOVERNMENT and LOCAL TAXATION of the METROPOLIS;——HAVE taken further Evidence on the Matters to them referred, and have agreed to the following REPORT:—

THE Committee have proceeded with their inquiry since they presented their First Report, but not having been able to conclude the Evidence which they deem it desirable to obtain on the subjects referred to them, they have determined to report the Evidence already taken, and to recommend the re-appointment of the Committee in the next Session of Parliament.

30 *July* 1866.

PROCEEDINGS OF THE COMMITTEE.

Monday, 23*rd April* 1866.

MEMBERS PRESENT:

Mr. AYRTON in the Chair.

Mr. Mill.	Lord John Manners.
Mr. Tite.	Sir William Gallwey.
Sir M. W. Ridley.	Mr. Turner.
Mr. Alderman Lawrence.	

Mr. *James Beale* examined.

[Adjourned to Thursday next, at Twelve o'clock.

Thursday, 26*th April* 1866.

MEMBERS PRESENT:

Mr. AYRTON in the Chair.

Sir William Gallwey	Mr. Locke.
Mr. Sandford.	Mr. Beecroft.
Mr. Alderman Lawrence.	Mr. Turner.
Mr. Mill.	Mr. Tite.
Mr. Kekewich.	

Dr. *W. Farr*, Mr. *George Horton*, and Mr. *Thomas Beggs*, were severally examined.

[Adjourned *sine die*.

Thursday, 10*th May* 1866.

MEMBERS PRESENT:

Mr. AYRTON in the Chair.

Mr. Sandford.	Mr. Mill.
Mr. Bazley.	Lord John Manners.
Sir William Gallwey.	Mr. Locke.
Mr. Knatchbull-Hugessen.	Mr. Tite.

Mr. *Thomas Beggs* and Mr. *Thomas Hare* were severally examined.

[Adjourned to Monday, at Twelve o'clock.

Monday, 14*th May* 1866.

MEMBERS PRESENT:

Mr. Ayrton.	Mr. Tite.
General Dunne.	

A Quorum of Members not being present, the Committee was adjourned to Monday, 28th May, at Twelve o'clock.

Monday, 28*th May* 1866.

MEMBERS PRESENT:

Mr. AYRTON in the Chair.

Mr. Kekewich.	Mr. Tite.
Lord John Manners.	Mr. Alderman Lawrence.
Mr. Mill.	Mr. Sandford.
Sir M. W. Ridley.	

Mr. *Thomas Hare* further examined.

Mr. *J. Dangerfield* examined.

[Adjourned to Monday next, at Twelve o'clock.

Monday, 4*th June* 1866.

MEMBERS PRESENT:

Mr. AYRTON in the Chair.

Mr. Alderman Lawrence.	Sir William Gallwey.
Mr. Mill.	Mr. Knatchbull-Hugessen.
Mr. Kekewich.	Mr. Tite.
Mr. Turner.	Mr. Sandford.

Mr. *Robert Gladding*, Mr. *William Black*, Mr. *Henry Mitchell*, and Mr. *Robert Freeman*, were severally examined.

[Adjourned to Thursday next, at Twelve o'clock.

Tuesday, 7*th June* 1866.

MEMBERS PRESENT:

Mr. Mill.	Mr. Ayrton.
Mr. Kekewich.	Lord John Manners.

A Quorum of Members not being present, the Committee was adjourned to Monday next, at Twelve o'clock.

Monday, 11*th June* 1866.

MEMBERS PRESENT:

Mr. AYRTON in the Chair.

Mr. Mill.	Mr. Alderman Lawrence.
Mr. Kekewich.	Mr. Locke.
Sir William Gallwey.	Mr. Tite.
Mr. Turner.	

Mr. *Jonathan Salter*, Mr. *John Richard Collins*, and Mr. *Robert Shafto Hawkes*, were severally examined.

[Adjourned to Thursday next, at Twelve o'clock.

Thursday, 14*th June* 1866.

MEMBERS PRESENT:

Mr. AYRTON in the Chair.

Mr. Locke.	Sir William Gallwey.
Lord John Manners.	Mr. Tite.
Mr. Mill.	Mr. Alderman Lawrence.
Mr. Kekewich.	Mr. Sandford.

Mr. *William Clarke*, Mr. *William Francis Jebb*, Mr. *Robert Shafto Hawkes*, and Mr. *William Perry Jackson*, were severally examined.

[Adjourned to Monday next, at One o'clock.

Monday, 18*th June* 1866.

MEMBERS PRESENT:

Mr. AYRTON in the Chair.

Mr. Locke.	Mr. Turner.
Mr. Alderman Lawrence.	Sir William Gallwey.
Mr. Mill.	Mr. Tite.
Mr. Kekewich.	Mr. Knatchbull-Hugessen.

Mr. *Henry Chester*, Dr. *William Tiffins Iliff*, Mr. *John Edwin Bradfield*, and Mr. *Charles Lahee*, were severally examined.

[Adjourned to Thursday next, at Twelve o'clock.

Monday, 25*th June* 1866.

MEMBERS PRESENT:

Mr. AYRTON in the Chair.

Sir M. W. Ridley.	Mr. Mill.
Lord John Manners.	Mr. Tite.
Mr. Kekewich.	Mr. Locke.

Mr. *Birt*, Mr. *Bidgood*, and Mr. *W. F. Tebb*, were severally examined.

[Adjourned to Thursday next, at Twelve o'clock.

Thursday, 28*th June* 1866.

MEMBERS PRESENT:

Mr. AYRTON in the Chair.

Mr. Alderman Lawrence.	Mr. Mill.
Mr. Locke.	Mr. Kekewich.
Lord John Manners.	

Mr. *W. Newton* and Mr. *G. H. Drew* were severally examined.

[Adjourned to Thursday next, at Twelve o'clock.

Thursday, 5*th July* 1866.

MEMBERS PRESENT:

Mr. AYRTON in the Chair.

Mr. Locke.	Mr. Alderman Lawrence.
Mr. Mill.	Mr. Turner.
Mr. Kekewich.	Mr. Knatchbull-Hugessen.
Mr. Tite.	

Mr. *D. Cameron*, Mr. *J. E. Bradfield*, and Mr. *John Layton*, were severally examined.

[Adjourned till Monday next, at Twelve o'clock.

Monday, 9*th July* 1866.

MEMBERS PRESENT:

Mr. AYRTON in the Chair.

Mr. Knatchbull-Hugessen.	Mr. Alderman Lawrence.
Mr. Turner.	Mr. Mill.

Mr. *Buckmaster* was examined.

[Adjourned to Monday next, at Twelve o'clock.

Monday, 16*th July* 1866.

MEMBERS PRESENT:

Mr. AYRTON in the Chair.

Mr. Tite.	Mr. Mill.
Mr. Locke.	Mr. Knatchbull-Hugessen.
Mr. Kekewich.	

Mr. *John Fuller*, Mr. *James Wilson*, and Mr. *A. A. Corsellis*, were severally examined.

[Adjourned to Thursday next, at Twelve o'clock.

Thursday, 19*th July* 1866.

MEMBER PRESENT:

Mr. Ayrton.

A Quorum of Members not being present, the Committee was adjourned to Monday next, at One o'clock.

Monday, 23*rd July* 1866.

MEMBERS PRESENT:

Mr. Ayrton in the Chair.

Mr. Tite.	Mr. Alderman Lawrence.
Mr. Kekewich.	Mr. Mill.
Mr. Knatchbull-Hugessen.	

Mr. *Edwin Chadwick* and Mr. *John Savage* were severally examined.

[Adjourned to Thursday next, at One o'clock.

Thursday, 26*th July* 1866.

MEMBERS PRESENT:

Mr. Ayrton in the Chair.

Mr. Alderman Lawrence.	Mr. Turner.
Mr. Kekewich.	Mr. Locke.
Mr. Mill.	Lord John Manners.

Mr. *William Edward Hickson* and Mr. *William Rendle* were severally examined.

[Adjourned to Monday next, at half-past Three o'clock.

Monday, 29*th July* 1866.

MEMBERS PRESENT:

Mr. Ayrton in the Chair.

Mr. Knatchbull-Hugessen.	Lord John Manners.
Mr. Mill.	Mr. Locke.

Draft Report, proposed by the Chairman, read a first time, as follows:—

The Committee have proceeded with their inquiry since they presented their First Report, but not having been able to conclude the Evidence which they deem it desirable to obtain on the subjects referred to them, they have determined to report the Evidence already taken, and to recommend the re-appointment of the Committee in the next Session of Parliament.

Report read a second time, and *agreed to.*

Question, That this Report be the Report of the Committee to the House,—put and *agreed to.*

Ordered, To Report, together with the Minutes of Evidence.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

Monday, 23*rd April* 1866.

MEMBERS PRESENT.

Mr. Ayrton.
Mr. Baring.
Sir William Gallwey.
Mr. Alderman Lawrence.
Lord John Manners.
Mr. Mill.
Sir Matthew White Ridley.

ACTON SMEE AYRTON, Esq., in the Chair.

Mr. James Beal, called in; and Examined.

1761. *Chairman.*] What are you?—A land agent and auctioneer.

1762. Where do you reside?—At 209, Piccadilly.

1763. Have you considerable knowledge of the affairs of the metropolis, and the local administration of them?—More especially with reference to my own vestry, St. James's, and generally of the metropolis.

1764. Mr. *Mill.*] How long have you been a member of St. James's vestry?—With a brief exception, since the passing of Sir Benjamin Hall's Act, the Metropolis Local Management Act, in 1855.

1765. I think the Metropolis Local Management Act transferred to the vestries the separate powers vested in the separate local boards previously to that time?—It did.

1766. You have carefully watched the operation of the Act in the vestry of which you are a member?—I have.

1767. How do you consider it has been carried out?—As a whole, very imperfectly on the part of the elected authorities. If tested on the question of their works, under the head of sewage, roads, and paving, I think the sewage works entrusted to the vestries not under the control of the Metropolitan Board of Works will be found to be in a most defective state; and I believe their roads and paving to be equally defective.

1768. *Chairman.*] Is St. James's, Westminster, a single parish?—Yes.

1769. Does it contain a population of about 35,000. Was that the estimate in 1861?—We reckon it to be 36,000.

1770. Do you think it has increased since the Census of 1861?—No; I should think it has decreased.

1771. It was fully built on, and there has been since that time no room for the increase of houses?—No.

1772. Do you know whether the estimated rateable value for the county rate is about 462,000 *l.* at the present time?—Yes.

1773. And do you know that for the poor's rate it is about 442,000 *l.*?—Yes.

1774. And that the taxation for the year, ending June 1864, for the purposes of the local administration, under the Act of 1865, both for the parish and for the Metropoltan Board, was about 23,750 *l.*?—That is exclusive of the poor.

1775. Under the Act of 1855?—Yes.

1776. Both for your local board and for the Metropolitan Board?—Yes.

1777. And that for the poor rate, the police rate, and all other charges connected with the poor rate, it was about 42,200 *l.*?—I think it would be more than that. I should like to test those figures.

1778. Do you know that the area of the parish is about 164 acres?—It is.

1779. Mr. *Mill.*] Will you give a brief summary of the powers of local government which are vested in the vestries under the Metropolis Local Management Act; in short, the powers that they do actually exercise?—To them is entrusted the lighting, paving, and cleansing of the streets, the local sewerage, certain powers under the Diseases Prevention Act, and the Metropolitan Gas Act of 1860, and the Adulteration of Food Act, some powers under the Common Lodging House Act, and the general sanitary regulations of the district committed to their care.

1780. And the members of the vestry are selected by the ratepayers, are they not?—Yes.

1781. Are they elected by plural voting or by single votes?—Single votes.

1782. Of what class of persons do vestries generally, in your experience, consist; are they different in different parishes?—As far as our own is concerned, the majority are small tradesmen, in the back streets of the parish. We are divided into four wards: Church Ward, Pall Mall Ward, Marlborough-street Ward, and Golden-square Ward. In three out of these four wards the members, as a whole, consist of small tradesmen; Church Ward has some five or six leading

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men of the parish, but the rest are men little known to the great body of the ratepayers. There are 50 vestrymen in our parish.

1783. The number is much larger in some parishes, I believe?—Yes; in St. George's it is 120, in Marylebone 120; and their wards are of course more numerous than ours.

1784. There is a great variety, I suppose, in the character of the members of vestries in the different districts of the metropolis?—They vary entirely with the character of the population of the district.

1785. How are these powers, in your experience, generally administered?—Always with too great a regard to economy; efficiency is always sacrificed to economy. If an Act of Parliament requires them to do certain things, it is as a rule avoided. I refer especially to the Sanitary Acts, to the Adulteration of Food Act, and to the Metropolis Gas Act, in each of which cases the powers entrusted to them have not been carried out.

1786. These are all permissive Acts?—In some sense permissive; but there have been peremptory powers which have not been carried out by the vestries, particularly in relation to the Metropolis Gas Act.

1787. Have the vestries any power in regard to the licenseing of public-houses?—They have not; that rests in the first place with the magistrates of petty session, and by appeal to the magistrates in quarter sessions in the county of Middlesex or other metropolitan county.

1788. How is that power exercised?—We had reason to complain some years since that licenses refused by our local magistrates were granted on appeal by the Middlesex magistrates. It was fully gone into in my evidence before the Committee in 1861, in reference to the Argyle Rooms, and one or two other cases I then mentioned. Great objection exists on our part to the Middlesex magistrates having that control. We believe it is a matter which, if our local administration were more municipal, should be entrusted to the local administration.

1789. In regard to the local magistracy, the magisterial powers are divided, I believe, between the Middlesex magistrates, and the police magistrates appointed by Government?—The criminal jurisdiction is in the hands of the stipendiary magistrate appointed by Government; the civil jurisdiction, — licensing slaughter-houses, cow-houses, public-houses, and billiard-rooms, is in the hands of the magistrates in petty session, who are appointed, I believe, by the Lord Lieutenant of the county.

1790. These powers you wish to have transferred to a municipal administration for Westminster?—I should.

1791. Have you any remarks to make on the mode of election to the Metropolitan Board?—I expressed my opinion in 1860, which subsequent experience has confirmed, that the present mode of election is bad, and that instead of being a filtration from the vestry, it should be direct from the ratepayers. I think when our annual elections take place, the inhabitants should elect their member to the Metropolitan Board at the same time that they elect their members to the vestry.

1792. So that what you wish would be a municipal administration for the different districts of the metropolis separately, and a general administration elected like the others by the ratepayers, for the administration of the affairs which concern the metropolis as a whole?—Yes. My opinion is that the whole of the metropolis should be divided into a series of municipalities, and that these municipalities should be mainly co-extensive with the Parliamentary districts, as proposed in the roport of the Commissioners reporting on the Corporation of the City of London, 1854; that where Parliamentary districts do not run, districts should be assigned to them; that the local municipality should have the control of all the works and powers now entrusted to the several vestries within those districts; that from these there should be formed a metropolitan council composed of members of the several local municipalities, to whose hands should be entrusted the whole of the work now done by the Metropolitan Board, the whole of the work now done in the metropolis by the magistrates of Middlesex, Surrey, Kent, and Essex, much that is done by the City of London, and (although it is perhaps idle to ask it) all that is done by the Commissioners of Police; I think that should be transferred to us as part of the legitimate local powers of the municipality of the metropolis.

1793. In that case, you would transfer to the proposed metropolitan council, some of the powers which are at present exercised by the City Corporation within the jurisdiction?—The City is a county in itself, and I would make the metropolis a county in itself, and all the special powers which, as a county, the City exercises, I would transfer to the general metropolitan council. The control of gaols, lunatic asylums, and courts of justice, being special powers which the City exercises by virtue of its being a county by itself, I would transfer to the general municipality.

1794. Will you briefly recapitulate the powers that you would take from the City and transfer to the metropolitan council?—It would preserve all its own municipal action within its own boundary, but the control of gaols, lunatic asylums, and bridges, wherein it acts as a county by itself, would be transferred to the general municipality; it would be reduced to one of a series or congeries of municipalities in the metropolis.

1795. What would you have done with the fire brigade?—I would place it under the general metropolitan council, as it has been already placed in the hands of the Metropolitan Board.

1796. And the water supply, so far as it is a municipal matter, would devolve on the general body?—The municipal powers which are at present entrusted to the vestries under the Metropolis Gas Act, I should like to see very much extended, and the powers which the City of London now asks for by a Bill under the consideration of the House, for permission to erect its own gas works, and contract for the supply of gas; the right to purchase existing gas companies, and to buy up their interests, should be entrusted to the general municipal council. I believe, as a measure of indirect taxation, it would be as effective, or even far more effective than the coal tax which at present exists. As regards water, I think that is a matter purely for municipal action. I think that the Act of 1852, has not been carried out by a single vestry, they are too weak to carry it out, and that the companies are too powerful in the interests arrayed against the vestries, and that only a large and powerful corporation can adequately represent the public interest, and protect it in reference to the supply of water.

1797. There

1797. There is another subject which has excited of late a great deal of attention, namely, legislation with regard to the admission of railways and railway stations into the metropolis. That, so far as it was municipal, and not parliamentary, would, I presume, devolve upon the central body?—Clearly. At present we are to a certain extent represented by the Metropolitan Board, on the question of the introduction of railways into the metropolis, but, I think, before they are submitted to Parliament, as a rule, the local authorities should express their opinion definitely, by a special report, like that which the Board of Trade presents to the House, upon the advantages or disadvantages which the lines of railway present in the district which they represent.

1798. The Metropolitan Board of Works would be absorbed into the new general municipality which you propose to create?—Yes, it would be enlarged, it would be elevated; instead of being a semi-municipality, which it is at the present moment, its character and tone would be improved; its area would be the same, but its powers greatly increased. Instead of being a mere Metropolitan Board for certain definite works, it would be a metropolitan council representing the whole metropolis for certain great ends, in which the interest of the whole people are identical.

1799. In all probability, in the first instance, it would be composed in a great degree of those who now compose it, in consequence of the experience they have acquired, and the qualifications they have shown?—Certain members of the Board would be sure to be returned, being men of eminent qualifications, and deservedly enjoying the confidence of their constituents.

1800. So that the plan is not at all brought forward in any spirit of hostility either to the Metropolitan Board or to the City of London?—No, in the interests only of the municipal principle, feeling that the whole metropolis should have the same municipal powers as those which are entrusted to Manchester, Liverpool, Glasgow, Dublin, and other large towns in the kingdom, of which we are sadly deficient. I may add, that our vestry has always been most anxious upon this question, and has presented memorials to the Government. One of these was printed in the Appendix to the Evidence in 1860, and since then, upon all occasions where we could enforce our views, we have expressed them to Government, that it was desirable that municipal powers should be extended to the whole of the metropolis.

1801. Latterly, several other vestries have joined with you in this movement?—Latterly, we had a meeting in consequence of a letter from Sir George Grey to the Metropolitan Board, and we had delegates present from St. James's, Chelsea, Shoreditch, Clerkenwell, Camberwell, St. Pancras, Lambeth, and other parishes in the metropolis; and they agreed on a report expressing their views in favour of the idea to which I have directed your attention. That report I propose to hand in. [*The report was delivered in.*—Vide *Appendix.*]

1802. Do you propose to interfere with any of the powers now exercised by the boards of guardians?—We have not proposed that; but I think that recent experience will support the opinion, that it would be desirable to consolidate the management of the poor as well as the ordinary municipal work under the same organization; that it should be entrusted to the municipality; and that boards of guardians, like vestries, should be consolidated; in fact, removed. They do not, as a general rule, represent the intelligence or property of the constituents, and they are nominated again by vestries; it is a filtration of power, and does not come direct from the ratepayers.

1803. I presume that you would generally adopt the municipal districts as poor law unions?—I would.

1804. The boards of guardians have had various powers entrusted to them, chiefly because there were no other authorities to whom they could be entrusted, by virtue of special Acts of Parliament; as in regard to vaccination?—It has special powers as to vaccination. We have recently represented to the Government that we think it is the wrong authority to have been entrusted with the work; that the ratepayers feel, although they simply send their children for the purpose of vaccination, and the act is done without any charge being made, that they are virtually receiving poor law relief. Our suggestion was, first, as to the utility of the Act, that a great change should take place; that we should have the means of following up every case; that the child having been registered, and notice having been given for vaccination, every case should be followed up until we knew that the vaccination was completed; whereas a portion of our population being moveable and nomadic in its character, at the present time, we trace all cases of smallpox to neglected vaccination. We further suggested that Government should take the power from the board of guardians and give it to the Registrar General, as an authority beyond question, and capable of organizing the requisite machinery to carry it strictly into effect.

1805. You think that vestries are indifferent to making any use of the powers entrusted to them by Act of Parliament, if they find that increased expenditure would be necessary for the purpose?—I do, and I will give you an instance. Ten years ago, I moved in our vestry for a return of the bore, size, and state of repair of the sewers of the parish. This was duly completed by the surveyor. He has occasionally made urgent reports as to the disgraceful state of the sewage, particularly in reference to Regent-street, a thoroughfare, of course, in which every care should be taken that there should be perfection in all our details; but it now appears that in consequence of past neglect, we must lay out some 20,000 *l.* in the repair of our sewers, totally independent of the sewers of the Metropolitan Board of Works, in that street.

1806. The vestry is the only existing authority which has any power over those sewers?—In our district, the only existing authority.

1807. So that, properly speaking, that very important part of the police of the districts is entrusted to these numerous and small local bodies?—Yes.

1808. Do you consider that there are any considerable disadvantages attaching to the multitude of these authorities and the great sub-division of jurisdiction?—In Westminster, the disadvantage is greater than in any other portions of the metropolis. We have, with the same population as the parish of Marylebone (not the borough), collecting the same amount of rates, nine separate jurisdictions, while Marylebone has only one; and it is a special defect in Westminster that such is the case.

1809. There has been a good deal of men-

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tion made of the division of St. James's-street between two parishes, right down the middle?—Attention has been called to it, and to a similar one in Piccadilly, and very voluminous correspondence, in the shape of resolutions on the part of both the vestries of St. James's and St. George's, has taken place. The result is, first of all, the admission of the evil; that it was wrong that there should be the division of interest, but we claimed that inasmuch as 13-14ths of Piccadilly and three-fourths of St. James's-street were in St. James's, and one-fourteenth of Piccadilly and one-fourth of St. James's-street in St. George's, the matter should be handed over to us. They preferred that the matter should be referred to the Metropolitan Board. Our vestry at the time objected, and the vestry of St. George's thereupon declined to take any action. Hence you will see that, in Piccadilly, from Burlington Arcade to the corner of St. James's-street, one side is macadamised, while the other side is pitch-paved.

1810. *Chairman.*] Will you specify the nine jurisdictions that exist in Westminster, with some idea of their boundaries?—There is St. George's, extending from the Thames at its junction with St. Luke's, Chelsea, to Oxford-street, and from there to Vauxhall-road and to Bond-street on the east. The parish of St. James's extending from Oxford-street to Carlton House-terrace, and from Bond-street to Wardour-street; St. Ann's, extending from Wardour-street to Soho-square, and from Oxford-street to its junction with St. Martin's in Princes-street; St. Martin's extending from Princes-street to Long Acre, and from there to the Strand, joining St. Paul's, Covent Garden, at the Church. I am not aware of the boundaries of St. Paul's, Covent Garden, or of St. Mary-le-Strand, or of St. Clement Danes, but they all converge towards Temple Bar.

1811. Are they one board?—They form the Strand District Board of Works. Then there is St. Margaret's and St. John's, extending from Charing Cross to Vauxhall Bridge-road.

1812. Is St. Margaret's a single parish?—Yes, but they have a District Board called St. Margaret's and St. John's, and an outlying portion extending from Lowndes-square to the junction of Kensington Palace Gardens with Notting Hill.

1813. Separate from the rest of the parish?—Yes; but under the same jurisdiction.

1814. Originally a hamlet, probably?—Originally a hamlet, just in the same way that part of St. Luke's, Chelsea, is out by Kensall Green.

1815. Mr. *Mill.*] I understand that the parish of Marylebone has a population equal to that of Westminster?—All Westminster.

1816. And that parish has only one vestry. The whole local administration of it, therefore, is in the hands of one body?—It is so.

1817. Have you any personal knowledge of the way in which the parish of Marylebone is administered?—I only refer to it, presuming that it is much the same as the rest of the metropolis, but I allude to it especially as to the cost of government. With our nine jurisdictions we pay 17,462 *l.* in salaries, whilst Marylebone pays 7,711 *l.* only, each of us collecting in our own rates precisely the same amount of money.

1818. Is it within your knowledge that the local administration in Marylebone is better than that of the separate districts of Westminster; that the Acts of Parliament, for instance, are administered more efficiently, and there is not the same reluctance shown to incur expense for the purpose of carrying them into effect?—No; I presume the same characteristics will be found generally throughout the metropolis.

1819. So that, in your opinion, the extent of a parish, of even the largest parish in the metropolis, is not sufficient to remove the circumstances which cause the imperfect working of the present local administration?—I do not think size has anything to do with it. I think there is no dignity conferred upon any individual by electing him as a vestryman; consequently, the more respectable or propertied class decline to share its burdens or its honours, if there be any; and, if a total change was made and municipal institutions were introduced, we should have a totally different class of persons seeking the suffrages of the constituencies.

1820. You think that an enlargement of the district from the parish of Marylebone to the Parliamentary district of Marylebone would be sufficient to have that effect?—I do.

1821. *Chairman.*] In speaking of the vestries, do you refer to the mere fact of the number of parishes having separate vestries in the City of Westminster, or to the number of vestries and district boards under the Local Government Act of 1855?—The vestries are created by the same Act, and from the vestries the local board is elected. For instance, St. Anne's would have its vestry clerk, although it would form part of the Strand District Board of Works, and would be merged for all municipal purposes in that board.

1822. Then, for the purposes of exercising jurisdiction under the Local Government Act, there would appear to be only five separate jurisdictions in the City of Westminster?—Five.

1823. Those seem to be St. George's, Hanover-square, St. James's, Westminster, St. Martin's-in-the-Fields; the Westminster District embracing St. Margaret's, St. John's, Westminster; and the Strand District embracing the six parishes of St. Anne's, Soho, St. Paul's, Covent Garden, the Precincts of the Savoy, St. Mary-le-Strand, St. Clement Danes, and the Liberty of the Rolls?—Yes.

1824. That is the entire City of Westminster?—Yes.

1825. Mr. *Mill.*] Do the vestries of these separate parishes exercise any municipal administration at all, or do they abdicate entirely in favour of the board they elect?—They simply meet to elect the members of the municipal board.

1826. What are the duties of their vestry clerks?—They are difficult to define; they merely summon the vestry twice or three times a year, but still a vestry clerk exists.

1827. They have powers, I believe, in connection with the parish church?—No; that is a totally different thing. The meeting in the parish church is summoned at Easter to elect churchwardens. It has no other authority. It expires immediately.

1828. Have they no powers in connection with the Poor Law Administration?—No, that is entrusted to the board of guardians.

1829. So that they exist chiefly as electoral bodies?—Yes; electoral colleges.

1830. It is a kind of second stage of election?—Yes; that only refers to the small vestries, to which you have drawn my attention.

1831. Since there is so much reluctance to incur

incur expense for enforcing Acts of Parliament where there is any option, and even sometimes where there is not; that would naturally make itself most of all felt, or in no case more than in the case of the Sanitary Acts?—Clearly.

1832. What is your opinion as to that?—I have endeavoured specially to carry out in our parish the sanitary provisions of the Metropolis Local Management Act. I felt it my duty to support in every respect our medical officer of health, and to give him all that he asked for. The other day, anticipating my visit here, I moved for a return of suggestions by our medical officer of health not adopted by the vestry; but the thing was so formidable, from the fact that they had scarcely ever adopted a single suggestion of his as to the general sanitary operations of the Act, that it was found impossible to give it to me. We had powers with relation to the Adulteration of Food Act to appoint an examiner. We did appoint our medical officer of health, and a vote was carried that he should have the requisite chemical apparatus; just as in the case of the Metropolis Gas Act, when we were called upon to appoint an examiner. We had then a vote for the purchase of the requisite apparatus; but the moment we came to ask for a vote for the money, we never got it, nor have we had it to this day. Consequently the Act has been nominally complied with inasmuch as a person has been appointed, but he has had no tools given him with which to perform the work entrusted to him. Both the Adulteration of Food Act and the Metropolitan Gas Act are dead letters in our parish.

1833. Naturally if local officers of health find that their recommendations are not attended to, they are not so much disposed to make recommendations as they would otherwise be?—No. They checked the zeal of our medical officer, Dr. Lankester, whose salary was 200*l.* a-year, by reducing it to 150*l.* after a year or two when they found he was very earnest in his work, since which time he has contented himself with making a fortnightly report, and being less active in the discharge of his duties.

1834. Will you give a general idea of the way in which you would compose the municipal bodies for separate districts of the metropolis?—Do you mean as to the qualifications of the council?

1835. All particulars that would be embodied in a Bill for the purpose, so far as relates to the composition of those bodies?—A Bill has been drafted based entirely upon the Municipal Reform Act general throughout England. It was felt that the first step in the matter was simply to confer upon the metropolis, if Parliament should think fit, municipal powers that no innovation should be attempted, but that the existing powers should simply be applied to the metropolis.

1836. *Chairman.*] Do you mean the power conferred by the Municipal Reform Act?—Yes; with all the amendments of that Act. There are eight or nine different Acts of Parliament amending it. All the powers of the Metropolis Local Management Act, in so far as they are applicable to vestries, and the amendments of that Act which from time to time have been passed. There is no novelty whatever, no new power sought, but the police, the power to regulate which in making a watch-rate is entrusted by the Municipal Reform Act to the several municipalities in the country, is not included in the proposed Bill. We give precisely the same power to the borough justices in licensing that they have in other boroughs. We suggest certain alterations in the division for police purposes in the metropolis, so that the police division under Sir Richard Mayne and the police district should be co-terminous. We have suggested the formation of other boroughs than the Parliamentary boroughs, like Hammersmith, Kensington, Fulham, and Chelsea being merged in one, and it has been proposed to us, and for the purpose of discussion it has been admitted into the Bill, that it would be desirable to take out a portion of the Borough of Marylebone and include it in a new borough to be called the Borough of Bloomsbury, which would include the Parish of St. Pancras and a portion of Finsbury, and all that district running through Holborn, right away up to St. Pancras.

1837. Mr. *Mill.*] What is the particular reason for interfering with existing boundaries in that case?—Mr. Horton, who will be called, can thoroughly explain it, and the chief of the Statistical Department of the Registrar-General has also offered to give evidence. It was a suggestion in reference to the performance of the duties of his office for the purpose of obtaining accurate statistical details of each and every district of the metropolis. Another suggestion was that the Borough of Tower Hamlets should be divided into two for municipal purposes, called the Borough of Hackney and the Borough of Tower Hamlets, the northern portion of the borough and the southern.

1838. Has it occurred to you to include the West Ham district in the Tower Hamlets previous to the sub-division, so as to make two boroughs out of the Tower Hamlets and the West Ham district combined?—West Ham I think is not within the metropolitan municipal district.

1839. But it is understood that that district wishes to be included?—Powers should be conferred, I think, upon the outlying parishes of the metropolis, enabling them by the vote of their own parish and the adjoining district to form extended municipal districts, as the growth and wealth of the district entitle them to those advantages.

1840. Have you anything further to state about the contents of the proposed Bill?—No, I think not; we propose to adhere exactly to the old idea of a Mayor, Aldermen, and Common Council; of course it would be very easy to have suggested alterations or amendments, but we felt that those would come better afterwards, so that we might not be charged with any particular innovation in introducing the matter at present. We felt it was desirable to be conservative in the matter, simply adhering to existing Acts of Parliament, and clothing ourselves with existing powers.

1841. You mean that there would be a mayor and aldermen for each borough?—Yes; just as at Manchester and Salford, and Liverpool and Birkenhead.

1842. Do you think that the existence of mayors and aldermen for the separate districts would have a tendency to induce persons of a higher class than the present vestrymen to accept office?—I do; I believe it would clothe a man in the district with social distinction, and would be an honourable object of ambition to fill the office of mayor of a large wealthy district like Westminster, Southwark and Marylebone; equally

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equally so that he should be an alderman of some district. I think that we should get a class of men to take part in the municipal administration of affairs who at present stand aloof.

1843. Is there not some difference of opinion whether the office of alderman, for instance, in the metropolitan district, would be attractive to a higher class of persons than those who at present serve?—There is some difference of opinion about it, but I have taken every precaution to make inquiries, and to ascertain the views of others. I find that whilst it is looked upon as a sort of fifth wheel of a coach, yet it is very desirable to have it as a social distinction, conferring a mark of position to a certain extent upon the man who is elevated to the post.

1844. You will perhaps hand the Bill to the Committee?—Yes. [*A copy of the Bill was delivered in.*—Vide *Appendix.*]

1845. This I believe comprises only one-half of the plan, inasmuch as it relates only to the separate municipalities, and says nothing about the proposed general local government of the metropolis, and does not interfere with the existing powers of the Board of Works, but leaves them as they are?—The Metropolitan Board of Works and the City are excluded from the first Bill, the object being simply to clothe the metropolis with municipal powers.

1846. Therefore the remainder of your plan will be embodied in another Bill?—In a second Bill, by which I propose to form a Metropolitan Council. That is to say, extending and enlarging the Metropolitan Board, and giving to it the whole powers of the Middlesex magistrates exercised in the metropolis, and all powers of some 700 or 800 magistrates for the several counties of Kent and Surrey.

1847. Do you expect that it will be ready in time to hand in to the Committee?—Yes, I should think it would be ready within a fortnight.

1848. Will you give us some idea, as complete as you can, of what would be the contents of the other Bill?—Simply that which I have expressed. It would perpetuate all the powers of the Metropolitan Board. It would extend them by giving to them all the municipal powers not given to the minor municipalities, and the whole of the powers of the Middlesex magistrates as to roads, as to bridges, as to gaols, and lunatic asylums; the provisions of the courts of justice for the whole of the metropolis; and we should suggest further alterations, so that, for instance, an inhabitant of London being on the Surrey side of the water would not have his case tried at Guildford, or in Essex have his case tried at Chelmsford, but that a central court should try every case affecting the population within the area of the municipality. We should also suggest other amendments as to juries, so as to give increased efficiency in their selection; and the other arrangement for the working of the powers which an enlarged municipality could exercise, will be conferred, or will be supposed to be conferred, by the Bill upon the Metropolitan Council.

1849. Licensing powers you mention that you do not include; I presume you would leave them to the separate municipalities?—To the local municipalities.

1850. The fire brigade, the water supply, and the arrangements as to gas?—I should leave them all to the general municipality.

1851. Have you consulted with many persons with reference to those plans, do they represent the opinions of any considerable body of persons in the metropolis?—A very large, a very growing mass of persons have expressed their perfect accord in the principles of the scheme, whilst objecting to certain details. For instance, some of the electors of Finsbury very strongly expressed a difference of opinion as to the propriety of taking out any portion of that borough and creating a new borough for municipal purposes, while we have no such intention as regards parliamentary purposes. It is open to that objection, but we felt that the scheme suggested had been so thoroughly considered that it was worth while to ventilate it as we have done.

1852. It is no essential part of your plan, even if it should not be proceeded with?—It will not affect the general principle; it is simply a detail.

1853. You were honorary secretary of the Gas Enquiry Committee in 1860?—I was.

1854. That would give you considerable means of judging as to the action of vestries other than your own?—It was mainly through the experience I derived in performing the duties of that office, that the conviction grew upon me, that it was essential that some change should take place in the government of the metropolis; we were then dealing with a question affecting every householder in London, and although they had no other means of embodying their wishes or supporting their interests, than the action of the vestries, although we had a large number of vestries represented, yet from first to last, the whole work devolved upon a very few. The principle which should have governed municipal action was not understood; however much we tried to teach it we did not succeed, and when the Act was at last carried, and it was a substantial Act, conferring a large benefit upon the metropolis, the vestries failed to carry out a single effective or important provision of that Act. As to the question of price, it was left to them to inquire into the accounts of the gas companies, but no single vestry has moved in the matter; so also as to the question of purity, some have appointed examiners not chemically qualified. Some few have appointed chemical examiners being medical officers of health, who ought to be perfectly qualified; but as a rule, all have failed. The Act further gave powers to appeal to the Secretary of State to inquire into the capital accounts. The Gas Works Clauses Act was included in it, to enable them to avail themselves of the provisions of that Act, but in no instance has an effort been made, and whatever reduction has taken place, has been due to the interpretation of the Act by the gas companies and their own expressed feelings in the matter, whereas I do not hesitate to say, if the Act was enforced, a very much larger reduction in price would take place at the present moment. That is instanced by the fact, that on the south side of the water, where the capital of the gas companies is least, the price of gas is 3*s.* 4*d.* per 1,000 feet for precisely the same article for which on the north side of the Thames, we pay 4*s.*, 4*s.* 2*d.*, and 4*s.* 3*d.* It simply requires, on the part of the vestries an analysis, and an inquiry into the capital accounts of the companies to confer that boon upon the ratepayers; but they have failed to perform their duty.

1855. Do you think that the failure of the vestries is most to be ascribed to inattention, or to a false

false economy, or to the inferior calibre of the persons composing the vestries?—To the inferior calibre of the persons composing the vestries; they agree to resolutions but do not carry them out. I could present you with a series of resolutions, that I proposed to put in force in 1860, which were carried, but from that hour to this nothing whatever has been done in reference to them. It was after the Act had passed, and feeling that we should meet the Companies at once upon the best possible terms, that I endeavoured to secure all the benefits which the Act proposed, and the resolutions were carried, but nothing has been done.

1856. In such numerous bodies as vestries I presume the attendance is not very constant on the part of most members?—No. A little patronage to be given away would secure very large attendances of the vestry, but the discussion of a very important question, unless affecting some local interest, would make no difference whatever. The ordinary attendance would be limited to perhaps 18 or 16, or 15 out of the 60.

1857. Are those 15 or 18 usually the same persons, or do they vary?—Nearly the same persons. There may be slight varieties, so that in the course of the year one man has his name down three or four times, and another five times, but substantially the same persons attend.

1858. So that the powers of the vestry, although nominally exercised by a considerable number, really reside in a comparatively small number, who are not specially responsible for the power which they thus exercise?—That is true. The men who have the most leisure are the men who attend. The busy men, like the tradesmen in Regent-street and Piccadilly, cannot give the time, or they object to the interminable discussions which take place. They go away and take no part in the business.

1859. Probably, then, those members of the vestry in whom the ratepayers would have the most confidence are those who really interfere least in the administration?—That is a fact.

1860. You gave evidence before the Committee on Metropolitan Taxation some years ago?—In 1860.

1861. To the same effect as the present?—Yes.

1862. The main principles of your scheme you started then?—I did.

1863. Has any change taken place in your views since?—I have seen no reason to change my opinions.

1864. Naturally your scheme is more matured?—Yes; my opinion has grown, and it has become matured in my mind as a thing I think essential to the government of London.

1865. Turning to the subject of the Railway Bills, how do you consider that the vestries on the one hand, and the Metropolitan Board on the other, carry out that part of their duties which relate to Railway Bills?—The Metropolitan Board had originally no power to deal with this question, but I think after the enquiry of 1860, some alteration was made giving them a *locus standi* before the House of Commons upon Metropolitan Bills; but I believe it is quite a question whether they are authorised really to expend money in the employment of counsel to oppose those Bills. We had the question broadly discussed some time since, and it was felt that we had not that power; but what I should desire would be, that precisely what Liverpool and Manchester can do we should be able to do in London; that we should employ counsel adequately to represent and protect us in fighting these great questions. I need not not say that vestries have appeared here in opposition to certain Bills affecting the Metropolis. Counsel's opinion has been given more than once, that we have no such power and no authority to spend the ratepayers' money in that way. It was so with regard to the Metropolis Gas Inquiry. We had counsel's opinion to the same effect, but fortunately the auditors who act in the matter have not disallowed that portion of the expenditure. Therefore it has never become a serious inconvenience; but clearly the power should be defined, and authority should be given to us as vestries or municipalities, or through the Metropolitan Board to come here and represent uncontrolled these great interests.

1866. In most questions vestries could not be expected to take an enlarged view of the subject. For instance, with regard to Metropolitan Railways where the interest of the metropolis has to be considered, or at any rate a large portion of it. But if there were a general metropolitan Board and municipality for the whole metropolis, you would say that all railway schemes affecting the metropolis should be regularly reported on by that Board before they could be introduced into Parliament?—Yes; I think the report of the Metropolitan Board for last year was a most important one, but a vestry in dealing with the same railways would deal with only those portions passing through their own parishes. They would express the local feeling, that they did not wish a portion of Hanover-square, for instance, to be disturbed, or that the new street proposed to be made at the top of the railway would be a great advantage. But the Metropolitan Board or Council, looking simply to the interests of the whole metropolis, and having authority to represent it, would be a most important power to express an opinion upon the question. I think the Metropolitan Board, however well they perform that part of their duty, and I am not calling it in question, are not yet armed with all the authority that we should be armed with to deal with the question, and it is essential that they should have further powers.

1867. What are the advantages, in a financial point of view, that you think would arise from the consolidation of the present small division into a large one?—Take the illustration which I have given of the salaries in Marylebone with one local action, and those in Westminster, with several, and the enormous extra expense in Westminster compared with Marylebone, my belief is, a large saving in expenditure would result from the consolidation of the several vestries in the metropolis. A great reduction in salaries; and, I believe, an improved system of collection of rates could be inaugurated if greater power were exercised in the matter.

1868. Is there not a large portion of the business of local administration anywhere, especially in so great a body as a metropolis, which requires individual responsibility, and which can only be done effectually by paid officers, who, therefore, can only be expected to do it over a considerable district, because it is impossible to pay properly qualified officers for small districts?—That is one of the important points on which I think large advantages would accrue to the whole metropolis by the proposed scheme. For instance, we pay our surveyor 200 *l.* a year for a small district, and give him the right to practice on his own account.

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But if he had a large district we could afford to elect a much more eminent man; I do not say one who is more qualified to the performance of his duties, but one having a larger reputation, and in whom greater public confidence would be placed.

1869. Do you not think that the function of municipal bodies, whether called vestries or on a larger scale, is similar rather to that of Parliament in the general administration, than that of the Ministers of the Crown, and that the local administration should consist of a popular body, which is elected of paid officers, who should be nominated, but for whom the money should be supplied and the salaries voted entirely by the representative body. Is not that your opinion? —I believe that is the perfection of municipal government.

1870. And, in the nature of the case, that can only be obtained when the body that nominates and the constituency that pays those officers are on rather a large scale?—Yes.

1871. Extending over a wide area?—The bill which has been drawn up refers to a considerable number of other Acts which give separate powers to local bodies, all of which are proposed to be exercised by the new municipalities.

1872. I presume you have already given in substance all the knowledge we need have of the contents of those Acts?—I think we give in a marginal schedule every Act proposed to be incorporated, commencing with the Municipal Reform Act of 1832, the 5 & 6 Will. IV., including all the amendments of that Act. In reference to granting licenses to innkeepers and so on, we recite the other licensing Acts and incorporate them where requisite. As regards the powers of the vestries, the Act simply recites the 18 & 19 Vict., the Metropolis Local Management Act, and all the amendments of that Act. We merely take the powers which we have; only *plus* that we give to the municipality the common law powers which a municipality exercises for the good of a large district.

1873. Lord *John Manners.*] How long have you been acquainted with the affairs of St. James's Vestry?—Since the passing of Sir Benjamin Hall's Act of 1855.

1874. Do we understand from you that rather an inferior people seek the honour of a seat in the vestry, and are elected by the constituency? —The ratepayers take no interest in the election in our parish. I believe they meet at a public-house and nominate themselves. Certainly in three out of four wards of the parish very few attend on the day of election; it rarely happens that there is more then the quorum which the Act requires, and possibly all the 50 vestrymen are elected by some 25 people who attend, unless we have some exciting topic, such as the question whether a street shall be macadamised or pitch-paved; then respectable people may come and spend some money, and induce their friends to attend the election, and perhaps put up another set of men. In the case of a contest like that, the whole of the electoral body might take an interest in the matter.

1875. What is the qualification of the electors? —It is a household suffrage.

1876. Can you tell us what is the number of the constituent body?—I should think about 3,000 in the whole parish.

1877. Then you complain on the one hand that the vestry system has failed to produce a good representative body, and on the other you think that the system by which the Metropolitan Board is elected, has also not succeeded?—I do.

1878. Do you feel confident that if the system of direct voting, which you think has failed in St. James's, was applied to the Metropolitan Board, it would be a better success?—I think that a gentleman desirous of representing his parish in the Metropolitan Board, would infinitely prefer to appeal to the ratepayers of the whole parish, than to the gentlemen forming the vestry, and that it is a worthy ambition for a man to desire to be a member of the Metropolitan Board, and part of a powerful corporation holding a peculiar position in the metropolis. Whereas, to be a mere vestryman is thought nothing of; to be a member of the Metropolitan Board is really to be in the same category as the Alderman or Lord Mayor to whom I have referred. Such persons ought to be men of mark or leading position in their several parishes or districts. I believe that many of them would infinitely prefer being elected by the whole of the ratepayers than by the few men who form our vestries.

1879. Do you speak from any knowledge of the feeling existing among the members of the Metropolitan Board of Works that they really would prefer this system of election?—I speak only of the feeling of the ratepayers. I am not speaking of the members of the Board, but since the Committee of 1860, we have continually raised the question with a view of obtaining the opinions of other persons, and I find a very generally expressed opinion that the present system of election is bad, and that it would be preferable to elect direct from the ratepayers.

1880. You would give to your proposed municipalities just the same powers and no more as are confided to other existing municipalities? —Rather less in reference to the question of police.

1881. Did I understand that you would give the administration of the poor to the municipalities, and put an end to the Poor Law Boards altogether?—I think it would be desirable that the whole question of the poor as well as the local management should be confided to one administration in each district.

1882. In that respect you would confer upon these new metropolitan municipalities a power which other municipalities do not possess?—I do not know what the rule is in towns like Manchester and Liverpool, whether the poor are under the control of the municipality or not.

1883. *Chairman.*] That would depend upon whether the Union and Municipal Borough are coterminous?—Yes.

1884. Sir *William Gallwey.*] Did I rightly understand that you proposed a tax on the gas consumed in the metropolis?—No, I suggested that the Metropolitan Council should have power like that which the City of London now seeks to obtain of erecting its own works and contracting for a supply of gas upon which a profit could be made, and with it the power to buy up the existing Gas Companies. The result would be that the profit obtained would be a source of indirect taxation as good as the existing coal tax. I will illustrate it in this way. The capital of the several Gas Companies is about 5,000,000 *l.*; the market price of their shares would be, say, 8,000,000 *l.* They are authorised by Parliament to pay a maximum dividend of 10 per cent., which amounts to half a million upon 5,000,000 *l.*

5,000,000 *l.*, or perhaps to 600,000 *l.* or 700,000 *l.*, but if the Metropolitan Board bought up those Companies they could borrow the whole of that amount at four per cent.; a large reduction might be made in the price of gas and still a margin of profit be left for public improvements.

1885. Would not that be equivalent to a tax?—Clearly so. I called it an indirect taxation.

1886. Are you summoned to appear before the London Gas Committee, that sits to-morrow?—I have been asked to attend.

1887. Sir *M. W. Ridley.*] Is it your opinion that the Poor Law Guardians, as a body, are selected from the most eligible of the ratepayers?—They consist, as a whole, of well-intentioned persons, who have no grasp of the duties they are called upon to perform. They do not appreciate really the duties entrusted to them, and if there is any attempt on the part of the Poor Law Board to teach them, they meet it in a rebellious spirit; there is no administrative idea about them. They are aided by vestry clerks of acknowledged ability, and I believe that whatever efficiency the present poor law or vestry system of London has is due to the vestry clerks of the metropolis, who, as a rule, are a most efficient body of men.

1888. Do you know how far the attendance of the Poor Law Guardians is frequent at the Union Boards?—I do not know; I have no experience in that respect.

1889. Mr. Alderman *Lawrence.*] Do you propose, in your scheme of municipalities, to cut a portion out of the counties, and give that portion to the metropolitan district that is situated in the counties, for any jurisdiction that the counties may have over it?—I do. I propose to make it a county by itself.

1890. The jurisdiction with reference to gaols, lunatic asylums, reformatories; the whole of the county jurisdiction over any portion of the metropolitan district, you would take from the counties of Middlesex, Surrey, and Essex?—The City of London is a county by itself. The Middlesex magistrates must have a very limited authority, if any, within its area. I would make the whole of the metropolis precisely what the City of London is now, having their own gaols and courts of law, empanelling their own juries, and doing all that is necessary to the life and reality of a municipality.

1891. Do you consider that the way in which the management of roads and other matters in the City of London is carried out is far superior to that of the vestries?—Mr. Heywood, the engineer of the City, has a high reputation in that respect; but it was not especially in reference to that that I was speaking. I say that no person can pass through portions of the metropolis, particularly the back streets, without observing the defective state of the paving. Our surveyor brings up a report every year requiring a certain expenditure, but it is generally cut in two. He has over and over again stated that he cannot take the responsibility of maintaining the streets in an efficient state with the limited funds at his disposal.

1892. You are aware that, in the City of London, the vestries have no power over the management of the roads or lighting and paving, but that one body, the Commissioners of Sewers, carries out the whole?—It is so.

1893. Is your view something similar to that?—I would not have a commission of sewers, but a committee of the Corporation. I presume we should elect, as the City has done, a man of Mr. Heywood's reputation, whose wishes would almost of necessity be agreed to; indeed, it would be a vote of no confidence in the man if you failed to carry out the programme which he presented. With us, if a surveyor says he requires a certain sum, we think nothing of adjourning the matter as if it was of no moment.

1894. Your view is to establish something similar to the City of London?—Exactly. I take the City of London as our model; what the City is within its area, I should like each Parliamentary borough to be within its area.

1895. Sir *M. W. Ridley.*] You spoke of power being taken to buy up the gas companies; would you propose that the same power should be taken as regards the various water companies?—I should. I think that the water supply of London is a question of municipal importance, almost of imperial importance, and that powers should be given to the central municipality to make terms with the water companies as to the supply, or to purchase them for the benefit of the metropolis.

1896. You are aware of the passing of the Houseless Poor Act last Session?—Yes.

1897. Would you propose that the central authority, this metropolitan council, should see to the enforcement of the provisions of that Act?—Yes; I can imagine no administrative detail of the life of the people within the area represented by a municipality that should not be submitted to their control.

1898. Mr. *Tite.*] Then you think that the Corporation of the City of London, with its Lord Mayor, Aldermen, and Common Council, is so perfect and so complete in itself that you would divide the whole of London into certain districts imitating that constitution?—The principle is so perfect that I would do so.

1899. You do not think anything of their present unpopularity; you think that is undeserved?—There are details, of course, which would require amendment, as in the case of all old corporate bodies. I am simply referring to the principle, which I believe has received all the public confidence requisite to its maintenance.

1900. You seem to think that such a constitution would induce men of a higher class and occupying more eminent positions in life to go on to those corporations so constituted?—I do.

1901. Do you think that the case in the City of London?—I think all the leading men in the Corporation of the City of London are men of great eminence. I think that the chairmen of their committees are men of large administrative powers, and most effectually perform the duties entrusted to them.

1902. You refer to the Court of Common Council?—Yes.

1903. Not the Aldermen?—No; as far as I know of their position, I think it is the position from which the class should be selected.

1904. Is the position different from that which you are acquainted within your own vestry?—Clearly.

1905. Do you know any other vestry than your own?—Yes; I am a member also of the Fulham Board of Works meeting at Hammersmith, and I know much of every vestry in the metropolis, from the gentlemen whom they have from time to time sent as delegates to us upon important questions in which our vestry has moved.

1906. Have you seen any want of intelligence

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and ability amongst those men, what class they may come from?—Yes, a great want both of intelligence and ability; I should say that you may divide vestries into divisions; one-third, as a rule, are of the right class of men who ought to be returned, and two-thirds are not of the class who ought to represent the intelligence or the property of the districts from which they are sent.

1907. Who represents you at the Metropolitan Board now?—Mr. Bidgood.

1908. Do you know a more intelligent man in London?—I do not wish to put Mr. Bidgood upon his trial here; we differ largely.

1909. You differ from him?—Largely, but I do not wish to go into that question here.

1910. Is he not a man of eminent ability?—I am referring to his position at the Metropolitan Board.

1911. He is a man, I suppose, of very considerable position in society?—Yes; Mr. Bidgood is from the class that our best men would be selected.

1912. Is there any opposition to his re-election?—He was re-elected last year, there was no opposition; there is no other man likely to take his position in our vestry; I do not say in our parish. He has leisure and means, and he can afford to devote his time; but when you ask whether I think him an efficient member of the Board, of course I hesitate.

1913. You propose that there should be, in addition to these mayoralities, I understand, a municipal council, or a superintending body; how are they to be appointed or elected?—The members for the Metropolitan Council would be also members of the local municipalities, and elected at the same time to both offices; that is to say, they would be elected to the position of aldermen of their own municipality, and on the same day, by the same vote, elected to the superior municipality.

1914. Not out of the municipality?—No.

1915. It would be all done by house to house voting, or how?—I should prefer, as in the case of the election of the Board of Guardians, that the voting papers should be left at the house by the police, who should call for them again.

1916. Is not that done in your parish?—No, we nominate Boards of Guardians from the vestry; you do it the other way at Chelsea, and so do we at Fulham. There is great diversity of action in that respect.

1917. With regard to this very common cause of complaint, half of a street being in one parish and half in another, I think you quoted the case of Piccadilly?—Yes.

1918. You said that St. George's, Hanover-square, was willing to refer that to the decision of the Metropolitan Board, but your vestry was not willing, and the consequence was that it was not referred; why did you not agree to that?—I can only say that it was my wish that it should be so, but we were outvoted. We subsequently sent to St. George's, and suggested that we should endeavour to come to an agreement amongst ourselves, but we failed, and St. George's said, I think very properly, that it must be referred to the Metropolitan Board. Ultimately we induced the parish to agree to that, and the matter is now under the consideration of the Metropolitan Board.

1919. The dispute is at an end?—It is.

1920. They will determine who shall have the jurisdiction of certain portions of the street?—Yes.

1921. With regard to the power of the Metropolitan Board to interfere in the question of railways, is there not always sent to your vestry, as to every other, a very elaborate report drawn up by our engineer of everything that refers to your district?—I referred to that report as being one of great utility and great ability.

1922. Is there any disinclination on the part of the Metropolitan Board to listen to your representations, if you have any to make, or any want of power and means of effectually representing the public interest in that particular?—I am not aware of any change in the Act of Parliament giving them power to appear by counsel to oppose railway schemes in the Metropolis.

1923. Have they ever hesitated to appear by counsel?—I merely referred to the fact that their power has been doubted.

1924. Is that a doubt which the Metropolitan Board entertain?—Not to my knowledge.

1925. With regard to the water companies, what do you want to do with them?—The question of a continuous supply under the Act of 1852 is dependent upon the requisition presented to the water companies, signed by a certain proportion of the inhabitants of the street; the effect of that is to render it virtually inoperative.

1926. Why?—Because you cannot get the requisite proportion to concur in the application.

1927. Why should they, if they do not like it?—I think that in the matter of fire it is essential that we should have continuous high pressure service night and day. That would do away with the necessity of cisterns, and with all the evils attendant upon cisterns.

1928. Through the houses?—Yes.

1929. How would you manage with the water-closets?—By taps; it is common in Manchester and in Hull; and I believe, at the sitting in 1860, we presented a return from 22 towns in which the system was in operation.

1930. At the present moment a certain proportion in a parish may demand it, if they think fit; has that, however, been done anywhere?—It is certain that if Regent-street demanded high pressure service, and Oxford-street at the same time did not demand it, it would be impossible to carry the thing out; whereas, if it was entrusted to a corporation knowing the necessity for this thing, and providing adequately for all details in reference to it, it would be an improvement which would be immediately carried out.

1931. That is if they agreed upon it, but they might differ just as you and I do?—My impression is, that the evidence is so overwhelming in favour of it that they would be converted to it.

1932. How do you manage about the rating in your districts of Fulham and St. James?—A surveyor is appointed in St. James, but I am not aware how it is at Fulham; there has been no alteration since I have been there.

1933. The increase in the value of property is probably not represented by your rating?—I should say not in Fulham, but in St. James's it is; our surveyor is constantly on the watch, and if an improvement is carried out he suggests an addition in the next rate.

1934. That is nearly a rack-rent rating?—I should say not; I should think, if the rating were inquired into, it would be found deficient, although

although there is not a large difference between the poor rate and the county rate assessments; I believe, if a new rate were made, it would be materially increased.

1935. Therefore, with regard to the contributory rates which you give to the main drainage and other purposes, if Chelsea is rack-rented, you pay a less proportion; that is they do?—Yes.

1936. And there is an error?—No doubt.

1937. In your favour?—In our favour; and the same will apply to St. George's; I believe it has not been re-rated for 30 years; I believe there are houses in Piccadilly rated at the same rate that they stood at 30 years ago.

1938. You say that one general principle should govern the assessment of the metropolis?—Yes.

1939. The same as is now attempted in the poor's rate?—Yes.

1940. The Union Chargeability Act?—Yes.

1941. *Chairman.*] You have stated that the elections are not carried on in a satisfactory manner for the local Boards; to what do you generally ascribe that, is it to the system of election, or the indisposition of the inhabitants to take part in it?—The indisposition of the inhabitants to take part in it.

1942. Are you aware that the system in the metropolis differs from that which prevails under the Municipal Corporation Act?—No; I do not know the difference.

1943. The system under the Metropolitan Local Management Act is, I think, for the inhabitants to meet?—To meet in wards.

1944. And there to nominate candidates?—Yes.

1945. And if any person demands a ballot, there to proceed to ballot?—A poll, not a ballot.

1946. And the poll is conducted by ballot?—Yes.

1947. Is the poll confined to the candidates nominated, or can the electors vote for any inhabitant?—In my experience (we have had two contests) it has been confined to the persons nominated.

1948. Are you aware of what the law is in that respect?—I believe any person can be balloted for.

1949. They not having been nominated?—I believe so.

1950. Do you know whether there have been many polls demanded?—I do not. Occasionally we hear of a contest. Marylebone has had several, St. Pancras has had several; we have had two. On each occasion a very large proportion of the ratepayers voted.

1951. Do you know whether generally many persons assemble at the meeting for election?—Very few, as a rule; sometimes we have to wait to get a quorum.

1952. Do you ascribe the apathy of the inhabitants to the election taking place at a meeting in the first instance, so that they are compelled to leave their business to attend it?—No; I think if the persons to be elected attached importance to it, and were to acquire a social position as a result, they themselves would whip up their friends, and it would excite an interest; at present it is a mere form; the nomination is known beforehand. If there is to be an opposition, we have a larger number of persons present; but generally very few persons attend.

1953. Is any notice given to each elector of the date fixed for the meeting, or is it merely affixed to the doors of the church?—It is merely posted on the church doors.

1954. Therefore the inhabitants would hardly be aware of the intended meeting?—Unless they looked at the church doors, they would not.

1955. That would assume, first, that they go to church, and, next, that they look at the church doors?—Yes.

1956. Then, practically, the meeting takes place without any distinct knowledge on the part of the electors, and very few attend, as far as you know?—It is so; and I believe it is the same throughout the metropolis.

1957. Have you made any inquiry to ascertain whether it is the same throughout the metropolis, or is that your general impression?—I have constantly asked the persons whom I have met as delegates whether the same thing occurred, and they have invariably stated the same fact.

1958. Unless there is a demand for a ballot there is no stir made in the district about the election?—There is not.

1959. When a ballot is demanded the inhabitants have to go to the meeting-room to deliver their ballotting papers?—Yes.

1960. Those papers are not sent to them in any way, nor is there any intimation sent to them that a ballot is going on?—Not officially; each side sends round a voting paper, and requests the persons to whom it is delivered to support it.

1961. That is transferring to the candidates the expense of conducting the election?—Yes.

1962. I suppose in a large parish the expense would be considerable, such as the parish of St. George's?—No, it would apply only to the ward. The wards are much the same size; they are ward elections.

1963. Would the inhabitants or the candidates be disposed to incur that expense for the purpose of holding a municipal office?—Yes, on certain occasions large sums of money are subscribed; we have spent as much as 80*l.* over one election in our parish.

1964. What has that been occasioned by?—It arose out of a contest as to the paving of Regent-street, one party being anxious to macadamise it, and another to put down stone pitched paving.

1965. The object of the contest was not to determine the fitness of the individuals, but to carry a point in the vestry by electing persons pledged to give effect to the wishes of the electors?—I imagine that would be the object of any contest.

1966. Such an election would rather tend to produce unfit than fit people, would it not?—Simply partisans.

1967. Which would render them unfit for the general duties of their office, voting only as they were told?—Clearly so.

1968. And other considerations would be sunk apart from that object?—Yes.

1969. Do you think it would be an improvement if the system now prevailing in the Municipal Corporation Boards were adopted; are you acquainted with that system?—I do not know of any difference except as to the voting papers being delivered round. I think it is very desirable, as in the case of the Board of Guardians, that the police should deliver at the house of each ratepayer a list of the candidates, and afterwards call for it.

1970. Under the Municipal Act are not persons nominated in writing at a certain time, and the

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the election confined to persons so nominated?—I am not aware.

1971. Would you suggest any scheme of conducting the election by which the inhabitants could with more convenience to themselves be induced to take an interest in it?—I think the preferable plan would be to leave the voting papers, whoever was nominated, whether the requisite number or more, with a note affixed that the electors might vote for any person other than those whose names might appear upon the paper.

1972. Do you not consider that there are great objections to allowing persons to vote for any inhabitant without being previously nominated?—No; I think that we should give to everybody the right of voting for the person he thinks best qualified to fill the office. We do not call in question the discretion of the elector; I think he ought to have full discretion to vote for the most fit person to exercise the duties.

1973. You do not think it an essential ingredient that the candidates for whom the vote is taken by poll should be previously nominated?—I think it desirable, but I do not think it is essential.

1974. Is your district rather smaller than most of the districts in the metropolis?—I should think that ours is one of the smallest.

1975. Therefore your district presents to your mind rather an exceptional case?—No; we are small in area but very heavy in rating. I think we are almost the richest rating ground in the metropolis.

1976. Relatively to the number of the inhabitants?—Relatively, I am sure we are. We are nearly half a million of money, and St. George's not quite a million. They have no rental to equal ours in Regent-street and Pall Mall.

1977. Your rate is about 12 *l.* per head; the rating value?—More than that.

1978. £. 4,626,000 upon 35,000 inhabitants; that is about 13 *l.* per head?—Yes.

1979. St. George's, Hanover-square, has a population of 87,000, and a county rate of a million?—Yes.

1980. Then, according to your view, St. George's, Hanover-square, is very under-rated?—Clearly.

1981. Therefore St. George's, Hanover-square, would be about on a par with your parish as regards the rateable value as compared with its inhabitants?—Yes; we are much more densely populated than St. George's.

1982. You would propose, then, to go from the extreme of smallness of area to the very large area of the whole city of Westminster at once?—Yes.

1983. Are you aware that the largest population and area in the metropolis and value combined are very much below that which you would suggest as the basis of municipal division?—The largest area.

1984. The three elements—the population, area, and value combined—in any one district at present are very much less than you would propose for the municipality of the City of Westminster?—Still it would not be more than that of Liverpool or Glasgow, or other large towns to which I could direct the attention of the Committee.

1985. Have you had any means of ascertaining how far all the minute details of these large interests are well administered as compared with the metropolis?—Whenever I have paid visits to towns I have inquired. For instance, at Liverpool I saw the town clerk, the borough engineer, and some members of the corporation, and they expressed a very high opinion of the value to them of the corporation, and expressed surprise that we were not similarly situated. The same with Birmingham and Sheffield. I have no knowledge of other towns, and my knowledge is only obtained by conversation with persons who could explain the operation of the Municipal Act within their borough.

1986. Still your proposal would be to make a municipality of a population of 361,000, and a rental of 2,558,000 *l.*, and an area of very great extent?—Yes; I think Glasgow is nearly twice the size of that; the population would be nearer 600,000 than half-a-million.

1987. Do you think that the tendency of such a municipality would be rather to maintain leading thoroughfares and conspicuous parts in good condition, and to consider the back streets and smaller and less important parts of the district as matters of secondary importance?—No; I think that the corporation electing an efficient officer to perform the duties would consider it to be as much his duty to have efficiency in the back streets as in the front or leading streets.

1988. You think they would receive the same amount that they do at present?—Greater.

1989. Do you think at present there is any disposition on the part of local Boards to maintain the leading thoroughfares in a better condition than the back streets?—I do.

1990. As regards cleanliness and other matters?—I do. I have often turned away from a great thoroughfare like Baker-street and Piccadilly, and gone up a side street to notice the contrast, and I have invariably found that the larger street has been in a better state than the smaller one.

1991. Do you think there is a tendency with present Boards to neglect unimportant, uninfluential streets, and to keep the more important and influential streets in a high condition?—It does not arise from any desire to keep the large streets in a better condition; but the surveyor makes his estimate, which includes as much the back as the front streets. The vestry, however, curtails his estimate, and he is compelled to take his strength to the great streets, to the neglect of the smaller ones.

1992. Do you not think the larger the area the greater that tendency would be?—No; I think the larger the area the greater would be the weight of the engineer or officer elected to the post, and the better the class of men controlling him (the advising or administrative body), and the certainty therefore of greater efficiency than at the present time.

1993. Do you think if you got persons of influence and station the weight would be equal in both directions; if the officer were the greater man, the mayor or aldermen would be no less greater men to oppose him?—I think you would have with it corresponding higher intelligence than we have now, and that higher intelligence would see the wisdom of the course which an efficient engineer would propose.

1994. Do you think that persons of a higher station and influence would take a larger and more liberal view of this question?—I do.

1995. Is it your impression, that persons who pay higher taxes would be more liberal in the imposition of the rates than those who occupy smaller property and pay less?—I think they would be as cautious in the imposition, but more vigorous

vigorous and prudent in the expenditure; I will illustrate it in this way: We desired, some time since, to break through the end of Rupert-street, to make a new thoroughfare from Coventry-street to Oxford-street. We found we were opposed by the vestry in the matter, and that the persons who supported it in the vestry were paying the largest amount of taxation, representing pounds where the others represented shillings; all the smaller ratepayers opposed it, and all the large ones supported it.

1996. Would you propose to raise the qualification of the members of the council or of the aldermen from that which is now imposed by the Act?—I presume there would be an amendment in any Bill in reference to that, under the Municipal Act. The qualification of an alderman is very low; I suggested in 1860, and I should suggest now, that the qualification should be a rental value of not less than 150*l.* or 200*l.* a year. I do not think I would raise the qualification for a vestryman, in the case of a common councilman.

1997. Is the 40*l.* qualification an exclusive occupation, or is it merely being rated at 40*l.*?—Being rated.

1998. In the metropolis does not that amount to a very low qualification, in consequence of the number of persons who let lodgings?—No, I do not think that; if you apply it to our parish, we hardly know of such a thing as 40*l.* a year; if you apply it to St. George's, it will only apply to very small parts; so with Paddington. But in the east-end, the north-west, and the north, it forms a large proportion of the population, and gives a very safe basis.

1999. Is it not a very uncertain test, including, as it does, a number of houses that are let in lodgings, so that the occupier may be rated at 40*l.* a year, and yet may be only a domestic servant?—It is an uncertain test, but I do not know a better.

2000. Although rated at 40*l.*, a person may be paying only 10*l.*?—He may be even making a profit.

2001. It amounts to a very little test, unless accompanied with the definition of exclusive occupation?—I do not think exclusive occupation would do; I think you would restrict your choice in many districts.

2002. Ought it not to be a *bonâ fide* occupation, to the extent of 40*l.*, to be any test?—Suppose a tradesman is occupying a house and paying 50*l.* a year rent, and is rated at 40*l.*, and he does not require the whole of the upper part of his house, and lets off a portion, I do not think that detracts from his qualification in the least; he turns to account the portion of the premises which he does not require.

2003. He, however, is only occupying premises to the extent of 20*l.*, or whatever it may be?—Just so, but he is responsible for the whole. The use of all tests is merely relative. We must lay down some law or adopt some line; I think this was wisely adopted by Sir Benjamin Hall.

2004. Is not the object of a test to determine to some extent the status of a person in business or otherwise?—I think it does that.

2005. How can it do that if a person is merely paying a rate, without at the same time having any beneficial occupation under that rate?—I do not think it operates largely enough to make it a matter of difference. I think, as a rule, every man being a vestryman would occupy his own house; he might, perhaps, let off a portion; I do not think it affects the principle. I think, as a rule, they occupy the house for which they are rated. A man may have a house for which he pays 200*l.* or 250*l.* a year; he may let off a portion and make a large profit by so doing. If you increase the qualification to 200*l.* a year, I think some of the houses would still be let off in the same way.

2006. Mr. *Mill.*] Does it often happen that a person whose qualification is derived from a house which is let out in lodgings is elected as a vestryman?—Not often; I believe, as a rule, they occupy the houses for which they are rated.

2007. *Chairman.*] What is the number of persons constituting your vestry?—Fifty.

2008. Are the other vestries about the same ratio with reference to the population?—Yes; it depends upon the population.

2009. Do you find, notwithstanding your 50 vestrymen, that the number who attend is not above 18?—Twenty is a large vestry.

2010. When do you generally meet?—At 11 o'clock on Thursday morning.

2011. Is it the practice of all vestries to meet in the morning?—They vary according to the business habits of the locality, and the convenience of the members; that is settled by the vestries in a way most likely to suit the convenience of the members.

2012. Some meet in the evening?—Yes; we have tried to meet at 10 in the morning, and it was proposed to meet at three and six o'clock in the afternoon, but we find that 11 suits the larger number.

2013. You did not increase the attendance by altering the hour?—On the contrary, it decreased.

2014. Do you think it is desirable that there should be a considerable number of representatives to represent the general feelings of the district, or that the number should be very limited?—I prefer a few efficient good men to a large number of inefficient men.

2015. Do you think a few people are not apt to fall into systems and theories instead of attending to the general wishes of the electors?—No; I should suggest that our elections for the whole body should be annual instead of electing only a portion every year.

2016. How many would you propose for the city of Westminster?—Fifty-four.

2017. How many aldermen?—Eighteen.

2018. Is that a number much greater or less than the numbers already existing for the administration?—Much less; we should be saving the time, as we anticipate, of a large number of the persons engaged at present in the local details of the metropolis. For instance, St. George's has 120 members; I think, for Westminster, we have over 500 men elected.

2019. Do you mean for all municipal purposes under the Metropolis Local Management Act?—Yes; I should say nearly, if not quite, 500.

2020. Are you aware of the number of councillors in the City of London?—Two hundred and six, I think.

2021. Do you not think that in any system of municipal administration, where all the persons are unpaid, it is necessary to make a very large allowance for the absence of members at all meetings, without any charge of inefficiency?—No; I take in contrast the attendance of the Metropolitan Board, which I think, in proportion, is much larger than that of any vestry I am aware of.

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2022. Could you expect that any persons who are elected would constantly attend, or would you only expect about one-half of them to attend?—I should expect from one-half to two-thirds.

2023. You are aware that Boards under the Metropolis Local Management Act only manage about one-half the municipal affairs of the metropolis?—Or what should be municipal.

2024. They only do at present?—Just so.

2025. You would propose to give them the whole of the municipal affairs, and decrease their number to the extent you have stated?—Certainly; but as I think they would have efficient officers, they would merely be the supervising power to see that the duties were performed by the proper officers.

2026. Do you think they could be expected to attend as often as is necessary, to undertake the whole of the municipal affairs of the district?—I think so; I do not think that, under a proper system, there would be any great tax upon their time, not even to the extent that we have now.

2027. That is supposing the practical administration of all the officers were left to stipendiary officers?—Just so.

2028. So that they would only meet for the purpose of receiving reports from their officers and coming to general conclusions?—Independently of their meeting, they would remit to committees important questions, and the committees would be composed of a smaller number of men, who would decide and report upon such questions.

2029. Considering the great multiplicity of duties, and the immense amount of charge that would be imposed upon such persons for the whole City of Westminster, do you think that the committees could attend sufficiently often without seriously interfering with their business?—I think so, without seriously interfering with business. It would be a tax upon the time, and it would only be men with a certain amount of leisure who would undertake to fill the post; but, as in the case of the Metropolitan Board, which absorbs too much of the time of its members, they would find their labours rewarded by the honour that was conferred.

2030. The practical result of your scheme would be, that men engaged in professions and businesses, earning their livelihood, would not be elected, but that the duty would be confined to persons of independent means?—I do not say that that would be the practical result. There will be a fringe, of course, of all classes. I presume that men engaged in trade, who had time to devote, would allow themselves to be put up as candidates; but persons of the better class, who now take no part in such matters, would, I think, come forward and honourably perform their duties.

2031. Do you think it would be a disadvantage if the persons comprising the municipality were persons of independent means, and not engaged in business?—I think it would be a disadvantage, if it was so for the most part. I think we ought to have each interest represented, and the active bustling interest of a town is an essential to be represented in a municipality.

2032. You propose that each of these municipalities should undertake all the duties incident to a commission of the peace?—No; I assume that the magistrates should be appointed by the Council, but approved by the Crown. I would give no justiciary power to any man as alderman of any borough.

2033. That is not the case now under the Municipal Corporation Act?—No.

2034. Then you would have a commission of the peace for each borough?—I would have a stipendiary magistrate; not a commission of the peace.

2035. You would have a separate commission of peace, with justices to perform the duties which now devolve upon the justices of the borough?—I think not; I should have certain justices, and in addition to that stipendiary magistrates.

2036. Do you desire to have a separate commission of the peace for each borough, or one general commission for the whole of the metropolis?—One for each borough.

2037. Then you would have that commission of the peace perform all the duties which now devolve upon the commission of peace for the borough?—Licensing of public-houses, cow-houses, slaughter-houses, and so on, I would entrust to them.

2038. Not the functions connected with lunatic asylums and prisons?—There are certain duties which can only be done by magistrates with reference to lunatics, such as signing the orders, which I would still leave to them or to the stipendiary magistrates.

2039. Would you allow separate commissions of the peace to have a separate jail and separate administrations?—No; the general council would have the control of the courts of law, the jails, lunatic asylums, and so forth.

2040. That is, you would have one commission of the peace for the whole metropolis, so as to have a quarter sessions and one jurisdiction?—Yes, you must have that. In each borough there should be a judiciary power and stipendiary magistrates and certain resident magistrates. Whether you include them in one commission of the peace for the whole metropolis, I do not care, so long as they have authority in their own districts.

2041. You are aware that a separate commission of the peace involves the holding of separate quarter sessions, and a separate administration connected with all matters relating to prisons and lunatic asylums, and other duties that are now performed by the justices of Middlesex?—We have suggested in our Act, "that the justices of the peace for every borough created under the Act shall, within the limits of the same respectively, have all the powers and authorities of justices of a city, town corporate, or town under any Act or Acts for, or for regulating the granting or transferring of licenses to keepers of inns, alehouses, and victualling houses, billiard licenses, licenses for houses, rooms, gardens, or other places kept for public diversion, music, or other entertainment; licenses for houses or places for the purposes of slaughtering or killing of horses and other animals; licenses to deal in game, and any other Act or Acts authorising licenses to be granted for any purpose by justices of the peace of a city, town corporate, or town, so far as regards the granting or transferring of such licenses."

2042. That would involve having a separate court of quarter sessions for each borough, would it not?—Yes; and I think it is desirable that it should.

2043. We should be complete within each borough?—It had not occurred to me that it would

would be so; but if that is the result, I do not think it is objectionable; I think the area is quite large enough to justify it.

2044. You did not explain what you would do with reference to the rest of the jurisdiction of the justices of the peace as regards lunatic asylums and prisons?—I do not understand the action of the justices in the matter to which you refer. For instance, at the present time if a lunatic has to be removed, an order has to be signed by a magistrate.

2045. The county asylums are under the justices of the peace?—We have put them under the large municipality.

2046. The prisons are under the justices of the peace?—We would put them under the general municipality.

2047. Then you would require also a commission of peace for the whole metropolis to administer all those matters?—We have now the Middlesex magistrates having a general jurisdiction, and we have a local jurisdiction in the shape of petty sessions. The borough courts would perform the duties of the petty sessions, with appeals to the general magistrates.

2048. The petty sessions is under the general commission of the peace for Middlesex?—That is a matter of detail. I am referring to the principle. Each district should have its own police magistrates and its own local magistrates. Whether that would necessitate the appointment of a general commission or not is a matter of indifference.

2049. You have not considered sufficiently whether there should be one commission of the peace with district sessions, or a separate commission for each borough?—I imagine there should be one general commission with district authority.

2050. Mr. *Mill.*] The powers of the justice of the peace are of two kinds, judicial and administrative. Is there any reason, when the proposed municipalities are constituted, why the administrative powers which now fall on the justices of the peace should not entirely devolve on the corporation; is there any reason why the two functions should not be separated?—The suggestion is that they should be separated, giving the administrative powers to the Metropolitan General Council, and the judicial to the stipendiary magistrates or the magistrates for the peace nominated to the district.

2051. So that everything relating to licensing and other administrative business now done by magistrates, also voting for the county rates, would devolve on the bodies that would represent the metropolis?—The county rate would go, I presume, to the metropolitan council, and the question of licenses would go to the borough justices.

2052. So that there would only remain judicial powers to be exercised by the magistrates?—Only judicial powers.

2053. Would it be at all necessary to have any other power for that purpose than that which is already exercised, with some extension, if necessary, by the Central Criminal Court; or does the Central Criminal Court not descend low enough?—In the second Bill we should suggest modifications, but that would be the main court, the court virtually for the metropolis.

2054. I believe the court now comprehend, besides two of Her Majesty's judges, a recorder and magistrates in the commission of the peace?—Yes.

2055. That function would be reserved for the justices of the peace in the new local bodies?—Yes.

2056. To exercise judicial powers, as now, in conjunction with the two judges and the recorder?—Clearly.

2057. And the duties at present exercised, for instance, by the sessions at Clerkenwell would cease?—They would cease.

2058. So far as regards the metropolis?—Yes; that is a part of the function of the Middlesex magistrates within the metropolis with which we are finding fault.

2059. *Chairman.*] Their functions, you say, would cease; would you entrust somebody else with these things?—That we should do by extension of the Central Criminal Court, making it one court for the metropolis.

2060. That is merely for the trial of criminals?—Yes; all its other functions would be transferred to the general municipal council or the local metropolitan council.

2061. Are there not many functions that you would have to transfer to the general commission of the peace?—I think not; I think I have mentioned nearly the whole to which attention need be directed.

2062. In the cities of England are there not many duties discharged by the justices of the peace having a commission in the City?—We have specially referred to every Act giving them powers, and we have included those Acts in the margin of our Bill.

2063. Do you think if the members of the Metropolitan Board were elected directly, instead of being elected through vestrymen, more attention would be paid to the election than at present?—I think you would have a decided improvement in the men returned.

2064. You think it tends to keep persons of distinction out; that they are not elected to be members of the Metropolitan Board by the ratepayers generally?—I think there is a large class of men who would stand no chance of being elected by the vestry, but who, if they allowed themselves to be nominated, would stand every chance of being elected by the ratepayers.

2065. Under the present system the vestry may elect anyone, not a member of their own body?—They may, but as a rule they elect their own members.

2066. Do you know of any case in which they have elected a distinguished inhabitant not one of their own body?—I know of only one case; that of the dual election of Sir John Thwaites, who was returned for two places.

2067. Have you gone into any detailed investigation of the accounts of Marylebone, or any other part, to ascertain what would be the economy in establishments by the combination of several districts?—I have not; I found it was so difficult to analyse the various accounts, and to introduce all the items which the treasurer for the county of Middlesex publishes, that I thought I should be open to the charge of serious omissions or commissions.

2068. You undertook to investigate the accounts of five districts in Westminster, with a view to seeing exactly what the expenditure is for the establishment, and what would be the economy of one municipality?—It could only be done by an accountant, who might be nominated out of some of the City offices, and who should be thoroughly acquainted with the details, so that he could separate that which was municipal from that

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that which was merely civil in its expenditure; as in the case of the analysis which Mr. Scott gave upon my evidence in 1861. His intimate knowledge of the City accounts enabled him to correct many approximate estimates to which I had arrived; and I fear that some errors would be committed by anyone not intimately acquainted with municipal action; I endeavoured to tabulate the statement, but I could not.

2069. Would not the result of making these officers of a great municipality for the City of Westminster be, that they would expect to be paid salaries proportionate to their dignity, so that there would be no saving?—Take the result I have given you; they collect the same amount of rates in the parish of Marylebone as in Westminster; they collect 194,000 *l.* with an expenditure of 7,000 *l.*, while we collect the same sum by an expenditure of 17,000 *l.* I think if in Westminster we can consolidate the whole of our civil bodies into one, we shall reduce our expenditure from 17,000 *l.* to 7,000 *l.* or 8,000 *l.*

2070. That is as regards collection?—Collection and expenditure.

2071. As regards the general administration?—Yes; vestry clerks and so on; all the administrative salaries.

2072. If your estimate of 17,000 *l.* be compared with the City of London and its dignified officers, what is the result?—There you enter upon a very large question; they have large estates and machinery in reference to them; they have special trusts and peculiar Parliamentary powers of taxation, so that we could form no fair estimate of the result. My impression is that we must adopt the principle that that which can be done wholesale can be done better and cheaper than that which is done retail. When I show the large expenditure for several parishes, and the less expenditure for one parish of the same extent, I think I am justified in concluding that the municipalities would result in a saving of expenditure.

2073. Do you think that the mayor and aldermen of the City of Westminster would be content without indulging in the same way as the mayor and aldermen of the City of London?—I think it is very likely they would indulge in dinners as the City of London does, but not in the extravagant pageantry which attaches to the City officers. I do not say it is any crime in the City; they have a large income; we have none; we must cut our coat according to our cloth. I believe it was proposed in the City that a dower fund should be established, and that 5,000 *l.* should be granted to each municipality that might be established in Southwark and Westminster, and so on.

2074. To enable them to set up paraphernalia like we see in the City?—I do not know; I am afraid it would be a small sum for that.

2075. At any rate to encourage them?- That was the feeling they had in the matter; my impression is that the mayor should not be a salaried officer nor the aldermen nor the common council. They would elect a man of sufficient means and of a substantial position to be able to indulge in the requisite hospitalities. For instance, if Westminster had a mayor, a city in which the Houses of Parliament are situated, the seat of Government, it would hardly be anticipated that he should not indulge in the ordinary social amenities of his position. The Duke of Buccleuch is Lord High Steward of Westminster. They have a Corporation there, but nobody ever hears of them. It is a mere shadow. We are seeking to give life. I do not anticipate that they would indulge in the extravagant ways and absurdities of the Corporation of London. No doubt there is much to be said in favour of those dinners in the City. I think that the power and prestige of the City in the House is in a measure due to that expenditure of money on their part.

2076. Mr. *Mill.*] If anybody would make a present of great Irish estates to the Corporation of Westminster, I suppose there would be no objection to their giving grand dinners on the 9th of November or some other day?—Just so; or if we had the estates of the Corporation of London handed over to us.

2077. *Chairman.*] Do you find any practical inconvenience arising in the City of Westminster as regards dividing the streets, &c.?—No, we endeavour to meet that. Marylebone takes a portion of a street from us, and we in turn take a portion from Marylebone. St. Margaret's and St. John's would do the same from St. Martin's, and we again from St. Martin's; but it has this inconvenience: in the reference which I gave you about the division of a macadamized road and a paved road in Piccadilly, I may say that the macadam is thought to be the preferable system to a pitched pavement; our parishioners being on this side, and St. George's on the other side, suppose we arrange with them to divide the road directly across; our ratepayer would complain that he was having a pavement instead of a macadamized road, paying rates for the superior thing which he was not getting, and that the other ratepayer had an advantage over him. That is one of the difficulties we have found in these divisions.

2078. I suppose this would be obviated if the supreme Board had authority to put an end to them?—I think the Metropolitan Board has that power now.

2079. With reference to the extent of the division of the roads, I want to know whether the Metropolitan Board has ample power to interfere and give directions, so as to prevent any inconvenience to the public?—On appeal from either vestry interested in the matter.

2080. But without appeal?—I think on the appeal of one.

2081. Then without appeal it possesses no power?—That I do not know; but they might act, if such grievance were brought under their notice, without the intervention of the vestry; I think they might stretch their power to the point of making the requisite order without any reference to us.

2082. If on all occasions where the jurisdiction of the Board come in conflict, a chief Board had power to interfere and make rules for their guidance, there would be no practical inconvenience from the division of jurisdiction in the metropolis?—No, not upon that point.

2083. Mr. Alderman *Lawrence.*] You were asked whether you have any objection to have large Irish estates given you to assist your funds; are you aware that the Corporation does not receive one shilling from any Irish estate; that the Irish estates are managed by the Irish Society as trustees, and that every shilling of the net in- is spent in Ireland?—I have no knowledge of the link existing between the Irish estates and the Corporation; I simply said that I should be happy to have estates presented to us.

2084. You were not aware that the Corporation

tion does not receive one shilling from the Irish estates?—I believe that is so; I have read some pamphlets about it.

2085. Lord *John Manners.*] Can you tell us how many rated householders there are in the parish of St. James's?—About 3,000.

2086. We understand that this system of household rating does not produce an efficient representative body?—I would hardly say that; I would say that the office of a vestryman does not sufficiently excite the ambition of the ratepayers to induce the more eligible inhabitants to present themselves for the office. We cannot elect a man without his will, and say, "You shall serve."

2087. Do you think that if the office was made more honourable, gentlemen of independence and leisure would consent to serve?—I do.

2088. Even if, as you propose, his term of office should only inure for one year?—Yes.

2089. You think that gentlemen of leisure and independence would come forward to fill those offices, though subjected to an annual contest?—I have made special inquiries in the City, where the elections are annual, and I find that the best men in the Corporation have no objection to it; and what would be true of the best men in the City I presume would be true of the best men at the West End, or in other portions of the metropolis. Once having obtained public confidence, it rarely happens that a man is displaced, or that any attempt is made to displace him.

2090. Having given us this description of the constitution of the vestry of St. James's, will you tell us if you know anything of St. George's, Hanover-square?—I know something of it.

2091. Is there the same reluctance on the part of the better class of persons to fill the office?—No; the superior class occupy so large an area of the parish, and form so large a portion of the population, that they are necessarily compelled to come forward and take part in its administrative and municipal duties. Hence you will find that something like 60 peers, or Members of Parliament, or gentlemen inhabiting Eaton-place, Belgrave-square, and such places, within the vestry. But there is this difficulty, that when they leave town at the end of the Session for the remaining six months of the year, the vestry is left to a minor class of men, elected from the same class as the persons I have referred to in my own vestry. There are more men of the superior class in St. George's than in any vestry in the metropolis, and more Members of this House than in all the vestries of the metropolis put together.

2092. You do not mean to say that if the office is made more honourable, those gentlemen who now serve while they are residing in London will abstain from going away, and remain in town all the year round?—No; but their number would be much smaller; they would not only be the representatives of St. George's, but of all Westminster; they would only form 11 of the whole number.

2093. Can you tell the Committee whether there is anything in the past history of the vestry election of St. James's that may explain the reluctance on the part of gentlemen of education and position to come forward?—I am not aware of anything; on the contrary, we have always had a desire that our best men should be in the vestry. Lord Lyveden, the present Lord Sidney, and men of that stamp, we have desired to see amongst us, and we have occasionally had them.

2094. May I ask you if political questions have ever interfered in the affairs of St. James's?—I should think not. Years ago, I believe, before Sir Benjamin Hall's Act, I think there was some strong feeling upon the church-rate question.

2095. Was it not the custom to prepare regular lists of persons of one side of politics and of persons on the other?—Thirty years ago, but not since the passing of Sir Benjamin Hall's Act. Strangely enough, the men to whom you refer, highly respectable men, who were beaten in those days, are now members of the vestry, and are amongst our best members. There has been no party feeling governing the decisions for many years.

2096–7. Therefore the only reason you can assign for the difference in the constitution of the vestry of St. George's and St. James's is, what you have told us, that there are more men of position and wealth in St. George's who are willing to take part in the affairs?—Not only willing, but they must of necessity, because the larger portion of the population qualified to sit are men of wealth and position within the district; they are gentlemen living in Mayfair, Belgrave-square; Eton-square, and the palatial houses stretching away down to the Thames; whereas the minor streets hardly give you a sufficient number of men, unless the gentlemen do their share of the work.

2098. However, it may be in that parish, the gentlemen do seem willing to accept office, and to fulfil their duties, while on the other hand, from your account, they do not?—I may add by way of explanation that a large proportion of our resident gentry population has been removed by the growth of our clubs; the whole of Pall Mall, and almost the whole of St. James's-square consist of public offices, and clubs, and much of our resident population among the gentry has disappeared, so that we have to rely upon streets like Regent-street, Sackville-street, Saville-row, Burlington-street, and some few main streets of that description.

2099. Mr. *Mill.*] Do we understand that in Marylebone also there are a greater number than the average of persons of superior position willing to serve in the vestry?—Not to the same extent as in St. George's; St. George's is a great exception to the metropolis, the superior class forming a good proportion of the whole vestry.

2100. *Chairman.*] Do you suppose that if persons of superior station were to offer themselves as vestry men there would be any indisposition to elect them?—None whatever; on the contrary, we should desire to have men of that class.

2101. Mr. *Turner.*] Do you not think that if the office is made a desirable one, and the election is annual, that the parties would be subjected to a severe competition?—I can only speak of Westminster. I think, if at our first election we had elected men of sufficient intelligence, capable of performing their duties, the electors would have had a sense of gratitude, and would not seek to remove them on the next occasion, or subject them to a contest.

2102. It is intelligible that if an office is not desirable there would be no competition; but if it is to raise a man in social position, would not a contest arise; do you not think that in municipal boroughs, in different parts of England, where the office of a member of council raises a man in position, an annual contest would be a very severe thing?

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thing?—If party politics should unfortunately be introduced, I could understand it. We have never found party politics materially influence the elections in the metropolis.

2103. Why should not the same thing exist in the metropolitan and in the county boroughs, where you find that a triennial contest is often a severe matter?—First, our elections are confined to wards which would imperceptibly affect a borough election. Our boroughs are so large, and we are so certain of a liberal majority, that nobody would ever dream of mixing up party politics in a matter in which the result was perfectly certain. We might differ as to whether a man was qualified to be a vestryman or an alderman, but there could be hardly two doubts as to whether a Liberal or a Conservative would be returned.

2104. A state of things might arise in which parties might be easily balanced?—That would be a contingency which would influence future contests, and might bring about the very point to which you refer. In that case, I think it would be a healthy sign, evincing patriotism and public spirit in the discharge of important public duties: it is rather to be desired than feared.

2105. Under these circumstances would not an annual election be rather a disadvantage?—No; I am strongly in favour of it. The City has preserved it for some hundred of years, and has no cause of complaint, and I think it is a practice which we may extend to the rest of the metropolis with advantage. I think our present system of partial annual elections is bad. If two-thirds of a vestry were opposed to reform, and one-third came in, and were in favour of it, they would have to wait until another election; so that if a work of pressing importance was concerned a great public injustice might be done. I should prefer the whole number to be elected each year. It is a good old English custom, which I think cannot be too strongly supported.

2106. Would you be in favour of the Municipal Act being so altered as to require the members of new corporations to be elected every year?—I should like the whole body to be elected every year.

2107. Then the whole body would be changed, except the aldermen?—Except the aldermen.

2108. Should they remain longer?—The Municipal Act gives them six years; I would give them three years. I simply adopt the principle of the Act. I do not say that I would do so if we were beginning afresh. I should prefer that they also should be elected annually. We do not seek, however, to introduce innovations, but adapt ourselves to the existing law.

2109. You think it desirable that councillors and aldermen should be elected every year?—Yes.

2110. *Chairman.*] The tendency of annual elections in the City, as far as you know, would seem to be, that the people are not changed at all, but re-elected for life?—I would not say that; I have seen some considerable changes in the Corporation, and now that they have recently started upon a new career, we shall, I think, see more changes.

2111. Mr. *Mill.*] Is it not understood that a number of the old Corporation have a considerable amount of patronage vested in them, and the administration of a good many charities, by means of which it is understood that the circumstance of Liberals or Conservatives being in the Corporation may give them influence which may be exercised in the election of Members of Parliament?—I have no actual knowledge of it, but I am perfectly aware that it is so, as a matter of general report and information; that large funds are at the disposal of members of a corporation, and that that circumstance does materially influence the result of an election.

2112. Is it understood that that is the reason why the elections of municipal councils in the provinces often assume a political character?—I do not know that it so largely influences them as to be the main element; there are errors, no doubt, which crop up out of that system of doling out relief to partisans. I think it is very objectionable, but I do not think it mainly influences the contest.

2113. In any case, the municipalities would not have patronage or powers of that description, and therefore to that extent there would not be the same motive to introduce political feelings into the municipal elections?—It would exist only to a minor extent; in most parishes in the metropolis we have charities administered by the vestrymen, and these would be assigned to the municipality. We have in our parish, for instance, a fund which we distribute yearly at Christmas to 20 decayed tradespeople, 15*l.* each, and matters of that sort, but certainly not to the extent I have heard of in some provincial towns.

2114. If necessary, that patronage could be left with the vestries, could it not?—I do not think it would be desirable; I think we should hand it over to the municipalities; possibly they could suggest some better mode of administration.

2115. Or the Charity Commissioners?—Yes.

2116. Mr. *Turner.*] Is it your idea that the Corporation would apply those funds for charitable purposes with political objects?—It has been charged against them; I do not think it influences them to the extent that the Honourable Member imagines; I merely take it as a matter of public rumour.

2117. *Chairman.*] Do you consider, apart from your present proposal, that the parish of St. George's, Hanover-square, has very inconvenient limits for the purposes of local administration?—Yes; it ought to be made into two parishes. Knightsbridge, or Piccadilly, divides it through the centre; it is large and cumbrous for our present system of local administration.

2118. Therefore, if your plans were not adopted, you think there ought to be some re-arrangement of districts in the City of Westminster under the present system?—Yes; there ought to be a change in reference to that. The question of St. Margaret's and St. John's I did not think of for the moment. It is a large outlying district which ought, almost, to be separated from us for these purposes, or else a portion of Kensington ought to be thrown into us.

2119. Do you think if these large municipalities were established there would be much conflict of feeling between the municipalities and the central board?—No; I have no anticipation of anything of the kind. Their duties would be so distinct; much the same as the vestries and the Metropolitan Board now. There is, occasionally, a very free expression of opinion as to the course the Metropolitan Board may take, and I presume

I presume it would be similar hereafter with reference to the Metropolitan Council, but in no way clashing with its influence or jurisdiction.

2120. You think it would not be difficult for a central council to control municipalities so large as those you have suggested, and with such large funds at their disposal?—I think there would be no difficulty whatever.

2121. You do not know that there has been some difficulty between the Metropolitan Board and the Corporation of London, the Metropolitan Board asserting its authority over the metropolis?—The City of London has municipal powers, and the Metropolitan Board only *quasi*-municipal powers. That was a matter of dignity. I do not think you gave dignity enough to the Metropolitan Board, or gave it its real position as the chief municipality of the metropolis. I think that which I am now suggesting should have been done when the Metropolitan Board was established.

2122. How would you give dignity to the Metropolitan Board when you elevated the municipalities to the highest position of municipal dignity? How would you get another stage of dignity?—I make them local municipalities, but the Metropolitan Council would have jurisdiction over the whole, and it would have a municipal power in the metropolis for all other purposes than those of local administration.

2123. What titles would you bestow?—I have never thought of that. I have no feeling upon it.

2124. I understood you to say that the present difficulty arose from a conflict of dignity; I want to know by what management you are going to avoid that conflict?—You have left the City of London with great dignity and power; you did not clothe the Metropolitan Board with coequal dignity and power.

2125. Supposing you had the municipality of Westminster, with the Duke of Buccleuch as mayor, how would you raise a power over the metropolis of more dignity to control the municipality of Westminster?—I do not think the fact of being a duke would add to his greatness as Mayor of Westminster. I think if our parishes elected the best men, and the general metropolitan council had these great men, the bare fact of being at the head of this great council would give a position of so much dignity that Ministers of State might envy it.

2126. Mr. *Mill.*] Would not the Duke of Buccleuch, or any other person of his position, rather seek to be a member of the central than the local board?—I think so.

2127. *Chairman.*] With what sort of dignity would you invest the Chief of the Metropolitan Council when you have set up these large corporations?—His dignity is his power; he is greater than all.

2128. What would you call him?—I have not thought of that; I do not care what you call him. I am disposed to ask, "What's in a name?"

2129. What names would you give his council?—Aldermen.

2130. They would all be aldermen?—Yes.

2131. Are you aware that the constitution of the City of London is metropolitan in its character?—I think originally it was so, as is evidenced by the fact that we have Bishopgate-without and Farringdon-without afterwards admitted within the City limits.

2132. Are you aware that the City of London is divided into wards, and that each ward has its affairs governed by a council, presided over by an alderman, and that the alderman and council constitute the municipality for the ward?—Yes. it is so.

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2133. Therefore the chiefs of each ward constitute the superior part of the council of the Lord Mayor?—Yes.

2134. And the local councillors constitute the council of the whole municipality?—Yes.

2135. So that in reality it is a combined local and metropolitan municipality?—It was intended so, no doubt, and an effort was made in the reign of Charles II., in an Act to which you directed my attention some time since, to give permissive power to the municipalities of Westminster and Southwark to be joined to the City of London; they do not appear to have effected an arrangement, and the Act died out. Before the Bills of Mortality were established, that was the proposal made by Parliament.

2136. They would, in like manner, have been wards; they would have had their councillors and aldermen, and they would have been members of the general council of the municipality of London?—No doubt; the City of London would have been one great municipality for the whole metropolis, and each of the outlying districts like wards. We should have had in that the embodiment of what I am now suggesting; the City would have absorbed the whole, and one great corporation would have governed the metropolis.

2137. If we were to extend the principles of the Corporation of London, which have been in force for so many years, for the purpose of local and general municipal administration, we should constitute councils with aldermen for each district of London, and we should make those aldermen and councils, in whole or in part, members of the general council?—If the object was simply to attach the rest of the metropolis to the City.

2138. If you were to make a municipality upon the basis of the municipality of London, would not that be the nature of the arrangement, that for each district there would be a council with an alderman at the head, and that aldermen and council, either in whole or in part, would meet together and form a general council for the whole metropolis?—If your idea was simply to extend the principle of a city institution; but as that would necessarily result in one large corporation only, without the divisions for lesser luminaries, I do not think that Government would ever be a party to it. We may assume that they are even jealous of our possible authority; they have not granted to us those powers which were suggested by the Commissioners of 1854, and they would never agree to a large overwhelming corporation in the metropolis.

2139. Is not the present system under the Act of 1855 a partial application of the constitution of the City, insomuch that the central board is elected by each of the district boards?—Only a partial application. It is really a partial application of the report of Sir George Lewis in 1854.

2140. Is it not also a partial application of the constitution of the Corporation of London?—No doubt.

2141. In so far as each district sends a member to the general council?—No doubt. The commissioners suggesting the change which was effected in 1855 had been examining into the

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Corporation of the City of London, and the information which they obtained there they turned to good account in the Report which was presented, and upon which this legislation was based.

2142. Do you not think that, considering the great number of questions that would have to be dealt with upon metropolitan principles, and by authority over the whole metropolis, it would be necessary that the central council should have a very large and predominant influence and power over the districts?—I do not think that. It would necessarily have a predominant influence, but not legislative; each of the municipalities would preserve its local power intact; it should have its power assigned to it and its jurisdiction. I do not think that the other would come in contact with it.

2143. Mr. *Mill.*] Do you not think that very considerable, or perhaps the greater part of the duties of local municipalities would consist in managing details in matters of which the principles would be laid down by the central body?—No; I think the principle would be that the local bodies would be simply attached to and interested in local details; and that the general body would have, upon larger lines, as it were, the same duties to perform. I think the greater body would be an example to the lesser. I think if we found that they had higher administrative ability, and gave greater attention to details, we should be constantly learning from them.

2144. To explain what I mean; assume that the general drainage of the metropolis the arterial drainage, would be under the management of the central body, do you think that the local sewers like those which the vestries manage now, and which would necessarily be in connection with the general system, ought to be managed exclusively by the local bodies without any authority exercised by the central body over them?—No, I think that upon all occasions, in order to have a unity of system as to drainage, any detail about to be carried out by the local administration should be submitted to the administration in chief.

2145. Would not that apply also in a great degree to such questions as gas and water supply?—That I would leave to the chief municipality only, not to the district.

2146. *Chairman.*] Then you would withdraw gas and water from the local jurisdiction?—I would.

2147. Do you not think that it would be necessary that all matters appertaining to the administration of justice in its minutest details should be the same throughout the metropolis?—I do not think that gas and water questions require a machinery so perfect, in order to supply the commissariat details that they could only be given either to a large company, or to a great municipality; but I think that as to justice and its details there are local interests to be considered, and local questions, which can be better regulated by a borough magistracy than by a metropolitan.

2148. Do you think it would be convenient to have one set of police rules in one borough, and another in another borough?—I do not imagine that there could; the police are not proposed to be transferred to us; that department would still be under Sir Richard Mayne.

2149. Are not the management of the police and the administration of justice matters that must be kept very much together under one general administration?—We should still have, as we have now, stipendiary magistrates for the several police districts; there would be no change as regards borough magistrates; they would have a criminal jurisdiction.

2150. Would it be convenient to have one system of licensing in one borough and another system just over the border?—We must be governed by local convenience and details.

2151. Would it not be desirable to have all these matters kept under one common jurisdiction for the purpose of uniformity, so that there should not be a struggle on one side for one system, and on another side for another system?—I think there is sufficient divergence of interest to justify its being left to local action.

2152. Would it not be better for almost every purpose to have a general supervision over the administration in the metropolis in order to have anything like uniformity of management?—I think not. I think you may safely leave to each local council its own work.

2153. Is it desirable to have one system of administration of the poor law in one borough, and another in another?—No; I think the Act by which we obtained a change, transferring it from the Board of Guardians to the municipality, would also give some general power, such as the Poor Law Board now has.

2154. You would give to the central board considerable control to insist upon uniformity of poor law administration?—I do not think that the Government would transfer it from the Poor Law Board to any municipality, except as to actual details. I think the Government would adhere to its present position, and I believe rightly.

2155. The Poor Law Board would secure uniformity of administration by the different municipalities?—Yes.

2156. Would you propose that all the taxation should be kept within each municipality?—That is a very large question; the general taxation would be collected by the Metropolitan Council over the whole area; whether there should be a perfect equality of rating throughout the metropolis is a large question. I am afraid there is no public opinion to support it. St. George's, Hanover-square, would never consent, I believe, that it should share with Tower Hamlets in the matter. But as a matter of wisdom and policy, I have no doubt in my mind, that an equality of rating is desirable throughout the metropolis.

2157. The effect of the grouping you have proposed, putting together, for instance, Marylebone, Paddington and Hampstead into one borough, would be to establish a very diminished rate in that district as compared with some others?—There is a very large poor area in Marylebone; the Lisson-grove district, stretching away towards the Great Western Railway.

2158. And the Westminster district?—There is an immense poor area that I am afraid the Dean and Chapter would hardly recognise as their property, which it is.

2159. The tendency would be to bring the parishes that pay very small rates into one group?—No; it would have the effect only in Westminster, but for once it would to a certain extent equalise the rating of St. George's with the rest of Westminster.

2160. You

2160. You are aware that the Strand district rate is 3 *s.* 9 *d.* for the whole expenditure, St. George's, Hanover-square 2 *s.* 1 *d.*, St. James's, Westminster, 2 *s.* 10 *d.*, and St. Martin's-in-the-Fields, 3 *s.* 3 *d.*, the average being 3 *s.* 9 *d.* The effect would be to get the lowest rated parishes into one group?—The effect would be, as regards Westminster, that for once St. George's would bear a rateable proportion of the taxation of Westminster. Charing Cross seems to divide the rich and poor parishes; the effect would be to reduce the rating in St. Paul's, Covent Garden, St. Martin's, St. Mary-le-Strand, and St. Clement Danes, and to increase it in St. James's and St. George's; but I think as a matter of principle, you cannot gainsay the argument that there ought to be equal rating throughout the whole metropolis. *Mr. J. Beal.* 23 April 1866.

2161. The Strand Union, which contains what you call the poor districts in Westminster, is rated at 3 *s.* 9 *d.*, being the average of the whole metropolis; therefore, the effect would be to reduce it considerably below the average, and to get the rating of the new City of Westminster much below the average of the metropolis?—If it was limited to Westminster it would have the effect of which you speak, but as a principle it would extend to the whole metropolis. Of course that is not only unpopular, but far in advance of what we are likely to hear of for some years to come.

Thursday, 26 *April* 1866.

MEMBERS PRESENT:

Mr. Ayrton.
Mr. Beecroft.
Mr. Bazley.
Sir William Gallwey.
Mr. Kekewich.
Mr. Alderman Lawrence.
Mr. Locke.
Mr. Mill.
Mr. Sandford.
Mr. Tite.
Mr. Turner.

ACTON SMEE AYRTON, Esq., in the Chair.

Dr. William Farr, called in; and Examined.

Dr. *W. Farr.*

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2162. *Chairman.*] What are you?—I am Superintendent of the Statistical Department of the Registrar General's Office.

2163. Mr. *Mill.*] You assisted the Registrar General in taking the census of Great Britain in 1851, and the census of England and Wales in 1861?—I did.

2164. You had occasion to observe the multiplicity of territorial sub-divisions in the metropolis, made without any reference to one another?—I did.

2165. What is your opinion on the consequences of that; is it attended with inconveniences?—The Registrar General and those who assisted him met with many inconveniences in conducting the census, in consequence of the multiplied divisions of the country, made apparently without any regard to each other. We comment on these inconveniences in the Census Report presented to the Secretary of State. In this report, we show the number of divisions of the country; such as the divisions into shires, hundreds, tithings, lathes, wapentakes, sessional divisions, circuits of judges, cities and municipal boroughs, towns, Parliamentary boroughs (which do not always coincide with the municipal boroughs), townships, parishes, manors, ecclesiastical districts, dioceses, deaneries, and Parliamentary divisions of counties, besides a great number of others. I will read one passage from the Census Report to the Secretary of State:—"The inconveniences and perplexities which the variety of ecclesiastical, military and civil, fiscal and judicial, ancient and modern, municipal and Parliamentary, subdivisions of the country occasion, have been sensibly felt by us, as they were brought under our notice in the enumeration of the population. It is not within our province to reduce them to simplicity and harmony; but we call your attention to their existence; and venture humbly to suggest that the task of taking any future census, the comparison of statistical facts of every kind, and probably all administrative arrangements, would be greatly facilitated by the adoption of a uniform system of territorial divisions in Great Britain."

2166. In regard to the metropolis especially?—That holds especially with regard to the metropolis: the sub-divisions of the metropolis are shown clearly in Mr. Horton's interesting pamphlet; they are as inconvenient as any that we met with in any part of the country; I believe their inconveniences are felt more perhaps in these large cities than they are in the country.

2167. The divisions being so numerous, of course very few of them coincide with any historical boundary?—Very few; they are based chiefly on the parishes, if we except the City of London and the City of Westminster; the parishes round the City of London and the City of Westminster grew up and became populous, and no notice seems to have been taken of that great fact, which has raised the population from 100,000 to 3,000,000; so that London is left, as regards its local government, almost in the state in which it was when all the parishes round the City consisted of a few scattered houses.

2168. When anything new has to be done, a new division is made for that separate purpose only, instead of one division that would serve for all purposes?—That appears to be the case; in every new Act of Parliament the thing to be done is looked at without any reference to the other things done or to the convenience of the general administration of the metropolis.

2169. What do you consider to be the conveniences and inconveniences of the present variety of boundaries in London?—The convenience, I suppose, is that each department making that division which appears to suit its particular object, gets perhaps in that way a division which does suit its own special purpose as well, if not better than the other divisions of the country; and that is the only convenience I can see arising from the present divisions of the metropolis. The inconveniences are very numerous: first, with regard to statistical facts, I may mention, that in investigating the mortality, for instance, of the different parts of the metropolis, we want to compare that with the poverty of different parts of the metropolis, with the crime and with other elements likely to affect the mortality. Now, it would be exceedingly convenient for that purpose if the same area were covered for the several inquiries, so that you could say that within this area the mortality is high, the people are poor or rich; and so with regard to the influence of disease on the element of crime, it would be very convenient

convenient if we could show the number of crimes committed in the same area of the metropolis. I might run through a great number of matters of that kind, where it is exceedingly important that we should be able without inconvenience to compare the facts relating to the same population and the same area.

2170. Do any of these inconveniences relate particularly to the municipal administration of the metropolis; would it be possible to divide the metropolis in a convenient manner for statistical purposes without dividing it in the same manner for municipal?—It appears to me that for administrative purposes it would be very desirable to arrange the metropolis in a certain number of divisions, which would be convenient for administration, so that you might be able to employ competent persons to discharge the various offices that the municipality might wish to see filled.

2171. So that the facts wanted for statistical purposes would be accessible to officers within the same boundaries within which they were wanted for administrative purposes?—Certainly.

2172. It would be convenient that the municipal divisions should be such as would be most convenient for statistical purposes also?—It is very desirable for administrative purposes that you should thoroughly understand the constitution, wants, and condition of the district; and unless you make the divisions coincide, that appears to me to be impossible.

2173. Do you think that the Parliamentary and municipal boundaries should be co-extensive?—I do. It appears to me to be an old part of our constitution, that the different bodies associated for common purposes should also be associated for the purpose of sending Members to represent them in Parliament.

2174. Do you think that the boundaries of the present Parliamentary districts would be those most convenient for municipal and statistical purposes, or that they would require modification?—They would require extensive modification all through the country. Since the Reform Bill great changes have taken place in the population of the country. Nearly all our large towns, and that is especially true of London, have had great accessions of population, which have been deposited irregularly around their Parliamentary area.

2175. And that is no less true of the metropolis than of other towns?—It is especially true of the metropolis.

2176. That is, supposing Parliament were to adopt boundaries for municipal and statistical purposes that did not exactly coincide with the present Parliamentary boundaries, you think that the Parliamentary districts should be modified so as to correspond with them?—It strikes me that would be convenient and proper, and quite in conformity with the general principles of the constitution of the country.

2177. In the Act for the local management of the metropolis, called "Lord Llanover's Act," these different considerations were not regarded at all?—Lord Llanover, I think, proceeded on the principle of maintaining the existing organisation and boundaries of the metropolis. That was essentially a parochial organisation. It originated as a parochial organisation, and it is not, in my opinion, fit for all the great purposes of municipal government. Lord Llanover, I suppose, adopted that basis because it existed at that time, and it would have been probably rather difficult to alter it.

2178. In what respects do you think that the practical administration of the metropolis is unfavourably affected by this want of organisation as to the boundaries of the different authorities?—That is a question which I have not fully considered; so that my opinion, I fear, would be of little importance; but, looking at it on general principles, and with the knowledge I have of the general divisions of this country and of other countries, I should say if you divide London, as Mr. Horton has proposed in his pamphlet, into 10 or 11 great divisions, and make those divisions municipalities, and endow them with all the powers which a municipal organisation possesses in the large boroughs of the country, you would get a much better administrative organisation than exists now.

2179. In what respect do you think it would be better; that the municipal authority would be more conveniently exercised, or that the municipal bodies would be better composed?—It appears to me that the municipal bodies would be better composed, and have a better organisation for the execution of municipal duties; they would be able to appoint and pay competent persons to discharge the several duties required, such as surveyors, health officers, and the various officers that are required in municipal boroughs. The present multiplicity of the districts of the metropolis, many of them obscure and never heard of, withdraws them almost entirely from public observation. What a man does in the vestry in Bermondsey, or Stepney, or some of the other districts of the metropolis, is never heard of; so that there is really no responsibility to the great body of the metropolis; and in consequence our streets, and other things that fall within our observation, are in a very disgraceful state.

2180. Are you able to speak of the different departments of the administration of the metropolis at present, as to the imperfections of any of them?—I would rather not pretend to do that. I think I should not be able to give the Committee any information on that subject so valuable as many other gentlemen could give, who will no doubt appear before it. I merely speak to the general facts.

2181. You have a favourable opinion of Mr. Horton's plan, contained in his pamphlet, for the redivision and re-organisation of the administration of the metropolis?—I might mention that when Mr. Horton first placed his pamphlet in my hands I read it carefully through, and was very much struck with it. It preserves the old historical traditions of the metropolis contained in the City of London and the City of Westminster as they stood in the history of the country; and it suggests one way, at any rate, in which the rest of the metropolis might be organised and brought into conformity with these old existing portions.

2182. Do you think that there should be one municipality for the whole metropolis, or that there should be separate municipalities for the different parts?—It appears to me that the metropolis is one; that it has a great number of interests in common that must be directed by one central body. What you call that body, I do not ask at the present moment; but it is as necessary here as it is in Paris, that there should be a central body directing some of the great works in which the whole of the population is interested.

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interested. I may mention the drainage scheme. The drainage of the metropolis can only be properly executed by one body; and there are many other things of the same kind. The general improvement of the metropolis should be carried out, if possible, on some general scheme. At the same time I see that there is a large field for other bodies. In the case of the drainage, we have large trunk drains, and the connection of those large trunk drains with the houses (and that is the only thing that makes them of any use, except as grand architectural shows) is established by district boards, a work which, as far as I have learned, is very imperfectly done.

2183. Then you would propose, as Mr. Horton does, that there should be municipalities for the different districts of the metropolis, which should take charge of those duties which are peculiar to the districts, and also of that part of the general duties which cannot conveniently be discharged by the Central Board, as in the case of these subordinate sewers which, as you have observed, are necessary to the utility of the great sewers?—That appears to me to be a convenient arrangement. These organisations would naturally take the place of the present district boards, and I think would discharge the duties which devolve on those boards much more effectively.

2184. Do you think that the present imperfect organisation is injurious in its effects on the administration of the sanitary Acts?—Less is done for the improvement of the health of the population of London than might be done. The working men of London experience a very high rate of mortality, particularly as they advance in years, and a great deal of that mortality is referable to causes which might be removed by the municipal authorities. A great deal, no doubt, depends on the men themselves. In fact, the principal part of the improvement must spring from themselves, but a great deal might be done by the municipal authorities. For instance, some time ago London was supplied with water pumped out of the Thames, into which the sewers flowed; the sewage of London was poured into the river, and the companies pumped water from Hungerford Bridge and Battersea, and distributed it among the people of London. Well, the working men of the south side, and of Chelsea, and even the gentry, had no remedy against that state of things.

2185. Mr. *Beecroft.*] What were the water companies?—The Southwark was one, the Chelsea was another, and the Lambeth was a third.

2186. Mr. *Mill.*] That has been remedied?—That has been remedied under an Act of Parliament, after an inquiry before a Committee of the House of Commons, and in consequence the health of those districts has been improved. I merely cite it to show that although much depends on the householders of London, much also depends on the municipal organisation of London.

2187. Do you think that the water supply of London is a matter for which some public body ought to be responsible?—I am of that opinion.

2188. Do you think that the powers in regard to water supply should rest with the general municipal body for all London, or with the separate municipalities of the districts?—I think they should rest with the central body in which all the municipalities would be represented.

2189. You would probably have the same opinion about the gas supply?—I am not so sure about gas, I have not thought of that.

2190. With regard to such subjects as the admission of railways into the metropolis?—I think that should be dealt with by the central body, clearly.

2191. That central body would be the adviser of Parliament in the matter; or would you have it disposed of by the central body relieving Parliament from the duty?—I think you could not forcibly take the property of individuals without coming to Parliament.

2192. Then, you would have all such schemes considered and reported on by the general municipality of London before they were submitted to Parliament?—It would be exceedingly desirable, and I think Parliament would find great assistance in such reports from the engineers and surveyors of the central body.

2193. Have you any remarks to make on the poor-law administration as connected with this subject?—I may mention that many years ago, in the Fifth Report of the Registrar General, in considering the causes of the very high rates of mortality in some districts of the metropolis, while the mortality was very low in others, it appeared to me that a great deal depended on the poverty of the several districts, and on the administration of relief for that poverty. I found the greatest diversity in the poor rate. As a general rule the rich districts paid very little towards the relief of the poor, and the poor districts were oppressed by heavy rates; I am now reading from the Fifth Report of the Registrar General in 1843 (pp. 430–2). This passage was written without any political object at all, and with reference merely to the matter before me. "The amount of money expended upon the relief of the poor (assuming the benevolence and kindly feeling to be the same in all districts) will depend upon two circumstances; first, the number and wants of the poor; second, the wealth and number of the ratepayers. If all the inhabitants were affluent, there would be no poor rate, because there would be no poor; if all were destitute, no poor rate could be levied. The poor rate will be found to be the reciprocal of the ratio of the property and poverty—the givers and receivers; highest in the parishes where half are wealthy, half paupers; lowest, where the great majority are poor or rich. In the metropolis, subdivided into a great number of parishes, the rich are accumulated in some districts, the poor in others; and the consequence is, that whereas in provincial towns, comprising a single parish or union, the ratepayers contribute in some proportion to their assessable property and means, the reverse is the case here. The poorest ratepayers pay the highest rates in the metropolis." I then give some instances. The rating in the City within the walls is comparatively low, while the rating of the two unions, East and West London, where the labouring population dwell, is comparatively high. I also give other instances. "In Bethnal Green, the portion of the rate expended on the poor is 2*s.* 9*d.* in the pound; in St. George's, Hanover-square, only 6*d.* in the pound. A person in the possession of assessed property in Bethnal-green, of the value of 100*l.* a year, gives 13*l.* 12*s.* a year in the shape of rate to the poor; a person with the same property in St. George's, Hanover-square, pays but 2*l.* 8*s.* a year towards the relief of the poor. Call the poor rate a tax, and its inequality in the metropolis is evident; call it the regulated almsgiving of Christian charity, and it leaves the inhabitants of wealthy districts a large arrear to be made up by

by voluntary gifts. Similar inequalities will be observed in the other districts. An equal poor rate on the property of the metropolis would meet the case; but I am aware that many objections to this might be raised." I saw that it was utterly impossible to expect that an equal rating all over the metropolis could at that time be carried out, therefore I did not further refer to the subject; I hand in a table showing by the latest return the rating in the different districts in 1855-56; from this it will be seen that in the two districts I have mentioned, East and West London, the rate is 2 *s.* 9½ *d.* and 2 *s.* 11½ *d.*, on the estimated, while on the rateable value it is 3 *s.* 5¾ *d.* and 3 *s.* 7¼ *d.*; the rate of mortality is 27 in 1,000; if I take another district, St. George's, Hanover-square, I find that the rate is 6¼ *d.* or 6¾ *d.*, according as you take it on the estimated rental or the rateable value, and the mortality is 19 in 1,000. The same remarkable differences occur in nearly every district; the poorest people are rated so as to make the rate really oppressive, while the rich, who are best able, and I hope most willing, to contribute to the relief of the paupers of the metropolis, contribute only a very small proportion.

2194. Mr. *Mill.*] Should you think it desirable to give to the new municipalities any powers in regard to the administration of the Poor Law?—I think it would be convenient and very desirable, that the relief of the poor of the metropolis should be placed in the hands of municipal bodies.

2195. The municipalities would become the boards of guardians under the Poor Law?—They might appoint committees, as some of the present vestries do, for the special management of the poor, but I am decidedly of opinion that it would be desirable to consolidate the Poor Law administration of the metropolis.

2196. It has been suggested that each of the municipal districts should be a Poor Law union; is that your opinion?—My opinion is perhaps not worth much, but I should say, on general principles, that it would be very desirable.

2197. Supposing that to be done, having reference to the Act lately passed for union rating, whereby the rating would become equal over each union, would that materially affect the inequality of rating that you have been pointing out, as regards the different parts of the metropolis generally?—I have well considered that part of the subject, and am quite persuaded that the rating for the relief of the poor should be equally distributed over the whole property of the metropolis.

2198. But supposing that were not done, should you think that the mere equalising the rate over each of the municipal districts, which in the present state of the law would necessarily follow if it were constituted a union, would make a material difference in the present inequality?—That would be easily determined. I am afraid it would not make so much difference as would be desirable. The poorest districts would be generally grouped together, but, so far as it went, it would no doubt be a move in the right direction.

2199. Mr. *Kekewich.*] How would you propose that the administration of the Poor Law should be carried on. Do you propose that these municipalities should be in the character of boards of guardians, because that would hardly do; it might do for the purpose of rating the district, but it would not do for the purpose of administering relief, that must be done by smaller bodies?—By a Local Act, the guardians, 30 in number (rector and churchwardens in addition), are annually appointed by the vestry, and they administer the fund for relief of the poor. What is done in Marylebone now would, I apprehend, be done by these municipalities. They would find it convenient to divide their labour, to appoint committees, and one of these would naturally have charge of the administration of the Poor Law.

2200. Is there not a board of guardians in Marylebone?—Appointed by the vestry.

2201. Not under the Poor Law?—The vestry appoints guardians who have special charge of the poor.

2202. *Chairman.*] Are not the whole vestry by law the guardians?—Marylebone is under a Local Act, but the vestry, by an arrangement of their own, entrust the whole of the Poor Law management to guardians.

2203. Mr. *Kekewich.*] Do they delegate the administration of relief to different committees?—To a body, which is equivalent to a board of guardians under the new Poor Law.

2204. Mr. *Mill.*] There is one committee for the whole of their Poor Law duty?—Yes; I could easily get the exact information for the Committee if they desire.

2205. I should like to hear what your idea would be of an administration of the Poor Law by the municipal bodies. Would you make them collect the rates?—They would collect the poor rates as they would the others, by some general arrangement. It would not be convenient to collect different rates for different purposes; one general rate should be raised for all purposes.

2206. You would make them responsible to a general municipal council, if I may so call it, in the nature of the Metropolitan Board of Works; a superior tribunal or body of that kind?—That would be a detail which it would be necessary to consider carefully, that is, to determine exactly how far the central body should go and where it should stop.

2207. But as there are strong reasons for having a general rate, and a uniform system of relief for the whole metropolis, it is very important to have every suggestion for carrying that out?—Certainly.

2208. You think it might be done by the municipal bodies collecting the rate, and then delegating to the committees the administration of the relief?—The administration I should apprehend would be done by paid officers. It is quite clear that such a great work as that could only be done effectively by employing the best men you could get, and paying them. The committee would simply superintend and see that those officers did their duty.

2209. They would be in the nature of relieving officers of a superior class?—Certainly.

2210. You mentioned that you thought that the want of health and the high rate of mortality arose in a great measure in different districts from the poverty of the inhabitants?—Partly from the poverty.

2211. But does it not also in a great measure arise from the crowded state of those districts?—That is, I think, also a consequence partly of the poverty.

2212. You are well aware that the poorer district are the most crowded?—Yes, I show exactly the effect of the density of population in increasing the mortality.

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2213. And you think that relief would be afforded by a general rate over the whole metropolis for the relief of the poor?—Yes.

2214. They would pay less, and the richer districts would pay more?—At present your rate is necessarily limited by the means of the people who pay the rate; and if your rate was equally distributed over the rich districts and the poor, it would lighten the pressure on the poor districts, while it would not oppress the rich.

2215. Has it ever occurred to you whether there might be a sort of financial body for the purpose of administering relief?—It would be very desirable to have a finance committee, I should think, as part of the business arrangements.

2216. And for that committee to distribute certain contributions to the committees under them for the purposes of relief; did it ever occur to you that that might be carried out?—That had not occurred to me; I should not say it was not desirable on that account; I have not thought of it.

2217. You are aware that these committees in their different districts are better acquainted with the poor than any concentrated municipal body could be?—I should think they would probably be better acquainted with the peculiar circumstances of the poor of their own district than a central body would be.

2218. Mr. *Locke.*] Are you aware of a Bill that was introduced into Parliament in the year 1858, on the subject of the Poor Law, for the purpose of rating the whole metropolis?— I am not aware of it.

2219. You say that, supposing the whole of the metropolis were rated for the relief of the poor, one rate would be sufficient; what do you mean by that?—I mean to say that a rate for all purposes of municipal expenditure, including the expenditure on the poor, would be collected either quarterly or half-yearly, and that it would be collected by the same set of collectors all over the metropolis; you would not have a separate rate for the police, a separate rate for the poor, a separate rate for the drainage, and a separate rate for every municipal purpose, but you would make one general rate. You might distinguish the purposes to which you intended to appropriate that rate, but it would be collected by the same machinery; you would not employ different persons to collect it.

2220. You mean that it would be sufficient to have one rate?—Yes.

2221. Not as to the amount, of course that must be the same?—Certainly; that is done now to a certain extent.

2222. Taking the poor rate, have you formed any estimate as to what the general rate would be if it were levied on the whole metropolis; how much in the pound?—I have not made the calculation, but I will make it and put it in if you wish.

2223. You have stated that in some places the poor rate is as high as 3*s.* 9*d.*, and that in St. George's-square it is 6*d.*?—Yes.

2224. Supposing that were equalised throughout the whole metropolis, how much do you think it would amount to in the pound?—I will give that in to the Committee: it was 1*s.* 3½*d.* in the pound on gross estimated rental; 1*s.* 7½*d.* in the pound on rateable value, in the year 1856.

2225. You have been asked, supposing, instead of having a rate upon the whole of the metropolis, a rate were levied upon each particular municipal district, whether that would be any relief; are you not aware that in some places it would be no relief, inasmuch as the districts are composed of poor parishes or poor districts, and, therefore, it would be merely joining a number of poor parishes and districts together, so that there would be very little relief to any of them. Take, for instance, St. George-the-Martyr, Southwark, which is a very highly-rated parish, and the surrounding parishes are likewise highly rated; if you merely joined those, would it be any benefit?—It would be no sensible relief, to those parishes; as I have stated, the relief would be very partial.

2226. Then, your opinion is that there ought to be one rate for everything throughout the metropolis, more especially perhaps for the poor rate?—Certainly, for the poor rate; I have expressly stated that was my opinion.

2227. Supposing there were one rate throughout the metropolis, do you think there would be the same desire on the part of the different parishes that there is now to prevent dwellings of poor persons from being erected in the parishes; would not that be obviated?—It would if it exists.

2228. Do you not know that it does exist?—It does in the country; I do not know that it exists to the same extent in London.

2229. Do you know that they are particularly adverse in a great many parishes in London to having dwellings for poor persons erected in those parishes, inasmuch as the occupiers fall into distress, and have to be supported?—I know that is the case; I recollect the instance of Paddington Church property, where they build no houses for the poor, and the consequence is that the labourers of Paddington are maintained in illness by Marylebone and the surrounding parishes.

2230. In fact they are now relieved in those parishes in which they dwell?—Yes.

2231. Before the great Poor Law Act passed, relief, I believe, to a large extent was given in consequence of the settlement by hiring and service; if a man had obtained a settlement in a parish by hiring and service wherever he went, until he obtained another settlement he would be entitled to apply for relief?—Yes.

2232. But that was done away with?—I did not understand exactly the effect of that change in the law.

2233. With regard to the waterworks, you said that an alteration had been made with respect to Chelsea; where do they get water from now?—From the Thames, above Teddington, above the lock.

2234. How long since is that?—I think it was in 1856 or 1857, subsequently to the last epidemic of cholera.

2235. *Chairman.*] It was after the Water Companies' Act?—Yes.

2236. Mr. *Locke.*] If the towns go on at the rate they are now advancing, building works to throw all their sewage into the Thames, do you not think that the water supply of London will very soon be just as bad as before the alteration?—Not so bad.

2237. Has your attention been directed to Kingston?—Yes, I am aware of those towns on the Thames; and if they pour their sewage into it they will render the London water again impure.

2238. Are you aware that in Kingston they have

have built very large works for the purpose of emptying all their sewage into the Thames, and that an attempt has been made to prevent their doing so; that an injunction was obtained in the Court of Chancery, and that they were stopped for some time, but that now they are doing just as they please, and proceeding with their works?—A Commission has been appointed by Government, which is considering the question now.

2239. However, it would be very necessary that the same principle which has been adopted in London, should be adopted throughout all the length of the Thames?—Certainly.

2240. Mr. *Mill.*] That, however, could hardly be done by the metropolitan authorities; it would require some authority that could be exercised over the whole of the Thames?—Certainly.

2241. Mr. *Locke.*] That would be the Thames Conservancy; it is proposed to place it in their hands?—Yes; it would act in conjunction with the municipal bodies of the metropolis, or with the central body.

2242. If the Thames Conservancy had added to it a certain number of persons interested in the higher part of the river, that would be a Board that might act beneficially for the whole, from one end to the other, laying down special rules if they could arrive at them, and seeing that they were carried out, to prevent the pollution of the river; do you think that that would be an advantageous plan?—It is indispensable for the health of London that the River Thames should be kept free from these pollutions.

2243. Mr. *Beecroft.*] Did I understand you to say that you wished to see the metropolis divided into ten or eleven municipalities?—It would be a very convenient arrangement.

2244. With a Board for general purposes?—Yes.

2245. If I understand you rightly, the sanitary arrangements are at present under the vestries?—The Boards of Works of the several districts of London have the appointment of the health officers and inspectors of nuisances; they generally coincide with the district boards.

2246. What kind of persons do you generally find serve on these Boards?—I am not sufficiently acquainted with them, except in my own parish: I knew them very well when I lived among them.

2247. What sort of persons were they?—I should be sorry to say anything against them as a body; but I think, taking the vestries of London generally, they do not adequately represent the intelligence or the property of the capital of the empire.

2248. Are you in the parish of St. Pancras?—No; I lived for some time in Marylebone.

2249. Do you consider the sanitary appointments of your own parish proper and sufficient?—I now live in Kent; I should say that the vestry of Marylebone behaved very well in appointing a very able health officer.

2250. Do they always carry out his recommendations?—I do not know that they do; and I believe that, in certain districts of London, the health officer is under all sorts of restraints. If he is active they look on him with disfavour, and he is in great danger of dismissal. In one case. I believe, they lowered his salary on account of his activity.

2251 Are the officers appointed for life?—During pleasure; the election is annual.

2252. What they are found fault with for is, making any recommendations that would incur expense?—There is a large number of the owners of small house property in the vestries who regard with great disfavour any increase of the rates, however beneficial the increase might be to the general health of the district.

2253. Do you believe that those Boards ought not to be constituted by persons who have private interests at variance with the public requirements?—I am of that opinion; such persons ought to be challenged as jurymen are challenged that personally are interested in a trial.

2254. Can you say, of your own knowledge, that there are a great many houses utterly unfit for human habitation?—I can; I have seen many.

2255. You have spoken of the Poor Law; do you recommend one area for taxation and another for the administration of relief?—I should not commit myself to answer that in the affirmative.

2256. You have spoken of high and low rates in different parts of the metropolis, and of poor people being called upon to pay higher rates than persons in the richer portions of the metropolis pay; are you aware that that is rather a landlord's question than an occupier's?—It is a question of landlords and also of occupiers; it affects the rents, no doubt.

2257. Is not the consequence of high rates, low rents?—It affects the rents.

2258. The consequence of low rates is high rents, I presume?—High rates discourage the building of habitations fit for the poor; in Bethnal Green, for instance, a man knows, if he erects houses suitable for the poor, that he will have to pay 3 *s.* in the pound on the rent, and he would naturally prefer to erect houses in Paddington or St. George's, Hanover-square; and in that way a larger number of houses would be provided in those districts. If you discourage men from bringing their goods into the market, if you throw obstacles in their way, that is an injury to the consumer as well as to the producer.

2259. Do you not presume that he would purchase his land rather cheaper in Bethnal Green than in St. George's, Hanover-square?—That is the case, no doubt; but less cheap than if the rates were equitable.

2260. Do you not presume that the difference in the value of the land in St. George's, Hanover-square, and in Bethnal Green, is relatively much greater than the difference in the poor's rate?—Of course, the value of the land depends on a great number of circumstances; in the City of London, for instance, the value of land is enormous.

2261. What I mean is this: that if a man, starting with the philanthropical object that you presume, of wishing to build proper dwellings for the poor, he would find it cheaper, in spite of the difference in the poor's rate, to build those houses in the poorer districts rather than in the richer ones?—He would be influenced by the probability of getting a higher or lower rate of profit.

2262. Perhaps you cannot speak from your own knowledge upon this subject?—Perhaps I ought not to speak on it at all; but looking at it as I did, calmly and impartially, I thought it was a great pity that the rich, who are willing to contribute their fair share to the relief of the poor of London, should not be able to do so under the present arrangements. In Paddington, however well-disposed men may be, as no doubt they are, to contribute their share to the relief of the poor, they pay a very small poor rate,

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rate, while, in Bethnal Green, a shopkeeper has to pay two or three shillings in the pound on his rental; perhaps he recoups that partly from the landlord, but in either case it is an inequality of which, I think, we have just reason to complain. The precise distribution of the immunity in Paddington, and of the oppression in Poplar, between landlord and tenant has, in my view, little bearing on the real question.

2263. Mr. *Bazley.*] You have referred to the increasing mortality amongst labouring persons in some parts of the City of London; can you state what is the rate of mortality among infants under five years of age in the districts least favourable to health?—Yes; I will pick out a few of the districts in which the mortality of children under five years is greatest, in the 10 years from 1851 to 1860, inclusive. I take the results from a publication of the Registrar General (the Supplement to the 25th Annual Report, published in 1864). In St. Martin's-in-the-Fields, the mortality among boys is 9 per cent.; in Hackney, 6 per cent.; St. Giles, 12; the Strand, 10; Holborn, 10; East London, 11 (in the healthiest districts of the country the mortality is about 4 or 5 per cent.); in West London it is 11; the City, 9; Whitechapel, 11; that is one of the worst. The mortality among girls is lower than the mortality among boys: on the south side of the river the mortality in St. Saviour's, Southwark, is 10; St. George's, Southwark, 10; these are some of the poor districts of London.

2264. That mortality you attribute probably to the want of healthy town arrangements, to bad draining, and insufficient supply of air and water?—I do.

2265. Mr. Alderman *Lawrence.*] Are you acquainted with the sanitary arrangements generally of the whole metropolis?—I have a general knowledge of them. I am obliged to have, in studying the health of the metropolis.

2266. Are you conversant with those of the City of London?—Yes; I know the general arrangements under Dr. Letheby.

2267 Do you think the sanitary arrangements in the City of London may compare favourably with the surrounding districts in the metropolis?—I think they may; I think they are superior to the generality of the arrangements in the different districts.

2268. The whole of the City is under one management, and they have appointed a competent officer, I believe?—Yes; they have appointed very able men; Mr. Simon first, and after him Dr. Letheby.

2269. Are you conversant with the municipality of Paris?—I was two years at the University of Paris.

2270. Do you know the general management?—I am acquainted with the general management, but I could not attempt to give evidence before this Committee on the subject. I know it generally.

2271. With respect to the inequality of the taxes in the metropolis, as falling upon the inhabitants, you have been asked whether that is not a landlord's question; do you not consider it a fallacy that the landlords pay the taxes in London?—I would rather refer that to the opinion of the able Members of the Committee than pronounce on it myself. It seems to me that it falls on both, but that the distribution varies under various circumstances. Really, both contribute to the tax.

2272. Do you think that the reason the rents are high at the West End is because the taxes are low?—That would be a natural consequence; if they were exempted specially from rates the people would naturally go into those districts, and as rich people like to live together, that would be another reason for their preferring those districts for their dwellings.

2273. Do you not think that the rent is determined by the desirability of the situation, and convenience, and fashion, more than the element of taxation?—I think the element of taxation is considered, but the other considerations weigh to a still greater extent.

2274. Supposing that houses were relieved altogether from taxation, and that the taxation was levied in another manner entirely, do you think that the houses at the East End would pay anything like the rent of the houses at the West End?—I am quite certain they would not.

2275. And most labouring men are limited in the choice of residence by the neighbourhood of their employments?—To a certain extent, undoubtedly.

2276. And the east of London is inhabited by the poorer classes, in consequence of manufactories and other buildings of that kind being located there?—Yes; that is the case in the east of London, and on the south side also; the ground being level and very convenient for manufacturing purposes, and so near the river.

2277. By the present system the employés of the inhabitants of St. George's, Hanover-square, when they are unfit for work, and require health, have to be thrown back upon the East End or upon the southern parishes from which they come?—They come from the country frequently, especially the servants; and if they have consumption, or any slow disease of that kind, they generally get relief in the hospitals, and then return to the country.

2278. Or to the other parts of London?—Yes.

2279. *Chairman.*] Do your statistics enable you to state how far domestic servants, who are delivered of illegitimate children, resort to the lower parts of the metropolis for the purpose of delivery?—They do not.

2280. With reference to the division of the metropolis into districts, you are aware that the district Poor Law unions and the local boards coincide throughout the metropolis, with one or two exceptions?—Yes; there are some exceptions.

2281. Those exceptions are parochial?—Generally.

2282. Therefore, practically speaking, the metropolis is divided into certain principal divisions for the purpose of local administration generally?—Yes.

2283. Embracing everything connected with the Poor Law administration, and the lighting, watching and paving?—Yes.

2284. And the registration districts coincide with these districts also, with one or two parochial exceptions?—Yes.

2285. Therefore, for all practical purposes, there is a uniform division of the metropolis for those great purposes?—For those great purposes.

2286. Then the difference or the divergence would seem to begin with the Building Act?—Yes.

2287. With

2287. With regard to that Act, the Metropolitan Board has an absolute discretion in making districts as it thinks most convenient?—I believe it has.

2288. Therefore, if it thought it convenient, it would make those districts in accordance with the divisions under which it is elected?—I should say so.

2289. It may be taken, therefore, that it is, in their judgment, inexpedient to divide the metropolis otherwise than they have done it, for the purposes of the Building Act?—I would rather state as a fact that they do not divide the metropolis in any other way.

2290. Then it may be taken for granted that it is the result of their judgment, having an absolute discretion, that the division they have made is the most convenient for their objects?—I am not prepared to say what amount of judgment they have brought to bear upon it. It is a fact that they have not otherwise divided it.

2291. And that they can alter it at any moment?—Yes.

2292. And the Chief Commissioner of Police, with the sanction of the Home Office, or without, has the power of making divisions from time to time as he thinks best for the efficiency of the police?—Yes.

2293. Therefore, if he thought it desirable, he could alter the districts to coincide with those for other local purposes?—Yes.

2294. He does not seem to think it desirable?—He keeps up the old divisions.

2295. He makes divisions as he thinks necessary?—I have paid some attention to the police; I had to report upon their fund, and I know that the divisions are very unequal. I dare say they were thought by the first Police Commissioners convenient, and not many changes have been made since.

2296. The Commissioner has the matter, at all events, under his consideration, to make the police efficient?—Certainly.

2297. And if he found any inconvenience, it may be presumed that he is an intelligent person, and would alter the present divisions?—He is a person of great ability, and I have no doubt if he found any great inconvenience he would alter it.

2298. The next divergence is the Post Office, and that is administered according to the judgment and ability (whatever that may be) of the Postmaster General?—Yes, and it is administered with great ability.

2299. And he can divide the metropolis as he thinks fit, for the convenience of receiving and delivering letters?—Yes.

2300. Therefore, we may presume that he has made those divisions that are most convenient for the receipt and delivery of letters?—Yes.

2301. And if he found any inconvenience, he could alter the arrangement?—Yes.

2302. The next division is that for ecclesiastical purposes?—Yes.

2303. That began of course with the ancient parochial system?—Yes.

2304. And are you aware that as that has been found inconvenient, applications have been made from time to time to the Ecclesiastical Commissioners, according to the provisions of the Act relating to the subject-matter, to divide the parishes into districts for ecclesiastical purposes?—That has been done under a number of Acts of Parliament in a great variety of ways.

2305. And by schemes of the Ecclesiastical Commissioners?—And of the clergy who want new districts and churches.

2306. Those are all districts within ancient parishes, and therefore they become sub-districts of parishes?—Sometimes they are constituted independent districts.

2307. Still they are parts of the whole parish?—Yes.

2308. Therefore, in point of fact, they become sub-districts, not affecting the principal districts out of which they are taken?—The law is so various that it is impossible to describe it in any general terms; that would apply to the whole of the ecclesiastical divisions. They are made under a great variety of Acts of Parliament, and they have caused a great deal of confusion in the census. The clergy are constantly applying to the Registrar General, even now, for the exact population of their districts; their income often depends on the number of persons they have in their parish.

2309. That is a subdivision, and it does not affect the main divisions from which we started?—It is not always a subdivision; they sometimes take parts of two parishes.

2310. However, the ecclesiastical division must necessarily be a small area, having regard to the purposes for which it is constituted, namely, the religious wants of the people?—It should be.

2311. And must necessarily be regulated by the existence of the Church as a centre, I presume, as far as practicable?—It would no doubt have reference to the population, and to the churches existing, or to be built.

2312. So that in fixing these districts, there is no necessity to consider any other matters, excepting the cure of the souls of the people?—I do not think there is. If all the population of the country were of one faith, of course it might be dealt with, and treated as the other matters are; but as the number of religious bodies is so great in this country, you cannot divide the whole population with reference to ecclesiastical views.

2313. You must divide it with reference to the duties to be performed by the clergyman in charge of the church, and his assistants?—You should do so.

2314. Then, I think, in addition to that, we have the question of the Lord Lieutenancy, the military government; so far as the Lord Lieutenant is a military representative of the Queen; that is another division?—Yes.

2315. But it is not very clear what the Lord Lieutenant has to do when he divides the metropolis?—It is not very clear.

2316. That would appear to be purely nominal?—Yes.

2317. His troops are mobilised, as far as the country is concerned?—I suppose they are.

2318. So that I believe the division is only for the purpose of balloting for the militia?—The country is divided into districts for militia purposes.

2319. For the purpose of ballot only?—Yes.

2320. The moment a man is drawn he is mobilised under the Militia Act for the whole of England?—I think so, under the present law.

2321. Therefore he takes leave of his district the moment he is drawn?—I think it is not local now; but I am not sure.

2322. Therefore the Lord Lieutenant's division, practically, is not a continuing element; it is mainly the source from which a man springs into

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into the militia?—I think the militia districts are maintained, to a certain extent, for the purposes of drill; but I had rather not speak upon that subject.

2323. When he is ordered out, is he not obliged to go to the general rendezvous of the country?—I think he is.

2324. Therefore the moment he is drawn out, he and his district become actually dissevered for the military purposes of the Lord Lieutenant?—If there was a ballot, the country would be divided into districts, and each district would have have to furnish its contingent of men.

2325. That is levied upon a per-centage of the population residing in the district?—Yes; the Government has had that done. The Registrar General had to prepare a schedule.

2326. Therefore that is a military division for the purposes of a ballot?—It is an important division in the case of war. If you had to call out the militia, it would be considered exceedingly important.

2327. It is only a military division for the purpose of bringing the people together to ballot for the militia; it is not a continuing division for any purpose of administration?—If each district had to furnish a certain contingent to the militia, this division would be important.

2328. It is only important for the moment in making the regulations for drawing the militiamen?—Yes, it is for the defence of the country.

2329. As soon as they are drawn, they become dissevered from their district?—There are military districts and recruiting districts; the Commander-in-Chief has a division of the country for recruiting.

2330. I am speaking of the military duties of the Lord Lieutenant; they cease to be connected with the district the moment he has his men from it?—I am not sure of that.

2331. The Militia Act, you know, is altered?—It was altered by Lord Palmerston. I have obtained the following authentic information for the Committee. The Queen has still power to revert to the ballot, should the voluntary system fail, but happily the martial spirit of the nation is such, that this measure is not likely to be required again in a hurry. The Act of 42 Geo. 3, c. 90, is still in force, so far as it is not inconsistent with the Act of 1852, except such parts as are not specially repealed by the latter. Under the 5th section of the former, lord lieutenants of counties have chief command of the militia within their counties while the force is disembodied and only trained annually; but when embodied for permanent service, "in all cases of actual invasion or imminent danger thereof, and in all cases of rebellion or insurrection," it is (by the 111th section of the same Act) placed under the command of general officers of the army, and may then be moved into any part of the United Kingdom. The annual period of training in the disembodied state is usually from 21 to 28 days, and though the Secretary of State for War has power (under the 17th & 18th Vict. c. 105), to move the militia into quarters in any part of the United Kingdom during training, the several regiments are almost always trained within their own counties and their respective head-quarter towns.

2332. That makes the militia mobilise the moment it is drawn, as regards the whole country?—So it ought to be, of course.

2333. The Inland Revenue has set up districts of its own?—Yes.

2334. They have the power of arranging and re-arranging the districts as often as they like?—Yes.

2335. That is purely a matter of internal economy in the department?—Quite so.

2336. County courts have districts of their own?—They have.

2337. Those districts, I think, are fixed in the Act, or are they fixed by the Lord Chancellor?—They were made with reference to the registration districts. Mr. Bethune, who had charge of the Bill, saw the importance of not multiplying these divisions of the country; and he endeavoured, as far as he could, to make them co-terminous with the registration districts.

2338. They are so, are they not?—To some extent.

2339. Are they fixed by the Act of Parliament or by the order of the Lord Chancellor?—I am not sure.

2340. I think we have now disposed of all the various districts in the metropolis?—The greater part of them, except the Parliamentary divisions and the municipal.

2341. The Parliamentary division of course depends upon the political constitution of the House of Commons?—Yes.

2342. And they are merely divisions for the purpose of elections?—Yes.

2343. Not having any other Parliamentary purpose at present?—No.

2344. There are also grand divisions of the metropolis, are there not, into counties?—Yes.

2345. You have the whole of the metropolis divided into four different parts?—There are three counties, Middlesex, Surrey, and Kent.

2346. And the City of London?—Yes.

2347. Is there any part of Essex?—There is no part of Essex.

2348. Not under the Metropolitan Board?—No.

2349. Mr. Alderman *Lawrence.*] When we take the metropolis, it extends beyond the district of the Metropolitan Board of Works; the metropolitan police district includes a larger area?—That is another affair; the metropolitan police district extends 15 miles round Charing Cross.

2350. *Chairman.*] The four county districts are not co-terminous with anything?—With nothing.

2351. As regards the area of the metropolis, it would seem that, as far as local government is concerned, it is already fairly divided into 39 districts?—It is so divided.

2352. If you think it necessary to remodel those districts, would you begin with an entirely new division or merely group some of those districts together?—Mr. Horton's arrangement appears to me judicious, inasmuch as it respects all the old divisions of London which ought to be maintained, and makes the least possible change in the other arrangements; it merely gives a solidity and brings into working compass the scattered members of this great capital.

2353. Then the divisions of the metropolis, you think, are most desirable if the present districts were enlarged?—This is Mr. Horton's proposed division (*producing the same.*—Vide *Appendix*). I should not commit myself so far as to say that this is the best possible arrangement of the metropolis, but it appears to me to be an excellent one. After you had all the data before you, you would

would probably be able to suggest an improvement, but as a basis this arrangement appears to me to be excellent.

2354. What would you consider the necessary data to enable us to form a judgment upon it?—The main data, no doubt, in all these cases, are the area and the population. In dividing England and Wales, as we found it necessary to do for census purposes, we looked at the area and the population, and the occupations; we divided England into 10 divisions, and Wales was made a separate division; each division containing about two millions of people, and having a given area, they were very convenient for all the purposes we had in view.

2355. Having the elements before us of area and population, would you proceed upon those elements, without any other consideration?—I should think it very desirable to take into consideration other elements probably than these.

2356. What elements?—I think Mr. Horton has other elements; for instance, the historical elements; he has considered the existing organisation, and he respects Westminster, which, having old historical associations, ought not to be broken up, although it might practically admit of alteration; and it is the same with the City of London.

2357. The historical associations of Westminster with Whitehall, on the one side, and the Pound on the other, if you know where that was?—I have not met with that in my historical reading.

2358. Has it occurred to you that the only part that constitutes the City of Westminster, in former times, was the district extending from the eastern side of the Palace of Whitehall to the point where the fields began?—I know that Covent Garden is a great central point at the elections; and then there is Westminster Abbey, Westminster Hall, and the Houses of Parliament; perhaps those are the centres. The whole of the City of Westminster has been put together for so many purposes that I should not like to disturb the arrangement.

2359. When you speak of the historical recollection of Westminster, are you aware that the Corporation of Westminster is constituted mainly of the ecclesiastical element, of the Dean and Chapter?—The High Bailiff, I understand, is an element.

2360. Are you aware that the Corporation of Westminster is intimately associated with the Abbey of Westminster?—I am not aware of the exact connection between the Abbey and the High Bailiff; I will illustrate what I mean by referring to the City of London, the population of which would certainly not entitle it to stand alone.

2361. Are you aware that, even so late as the reign of William the Third, an Act of Parliament was passed to make a high road between the City of London and the City of Westminster?—No, I was not aware of that.

2362. And previous to that, in consequence of the high road being so bad, people generally went by water?—I have read of that, and have often referred to it as showing the bad sanitary state of London at the time of the Plague.

2363. The historical association of Covent Garden does not reach beyond the beginning of this century?—No; of course there is something vague in all these old recollections, but I do not attach the less importance to them on that account.

2364. Have you considered, however, what would be the proper size for a district for the convenient administration of local affairs, apart from the historical association; that is what was for the accurate supervision of the cleansing of the streets, the sewage of the houses, the lighting of the streets, the lodging, cellars, and other matters of minute detail?—I am quite willing to accept the present municipal organisation of the country.

2365. Do you mean of the metropolis?—Of the country generally. We have 208 municipal corporations in England, according to the census of 1861. I have here the Registrar General's list of the principal boroughs and cities in England. The population varies; it is 100,000 in Hull, 112,000 in Salford, 350,000 in Manchester, 484,000 in Liverpool, and 335,000 in Birmingham. The areas range from 3,562 to 7,831 acres, except Leeds, which has 21,572 acres. It appears to me that populations of these magnitudes are very convenient, as far as we know, for all purposes of municipal government.

2366. Have you considered what is a convenient limit for the purpose of securing a minute supervision of these local details to which I have adverted, and for the purpose of securing attention to the complaints of the inhabitants?—I think these areas, and these populations would serve for nearly all the purposes with which I am acquainted, as well as any other arrangements which I could suggest. Take the question of the health officer, for instance, with which I am somewhat acquainted. I think if you had one physician general appointed by the central body, and by the municipalities 11 physicians, whose whole time was devoted to the subject, these officers, with a health officer under them in each ward, as proposed by Mr. Horton, would suffice for the superintendence of the sanitary condition of London.

2367. Do you not think that there is some difference between the municipalities to which you have adverted and the division of the metropolis, in regard to the disposition of the wealthier and more intelligent inhabitants to take an active part in the administration of affairs?—It is to be greatly regretted that the wealthy and intelligent, and what may be called the leading, men of the metropolis do keep away from these vestries. It would be very desirable if you could suggest any arrangement to induce the influential men of London to take any part in the government of London. It appears to me to be now in a state of anarchy, comparatively speaking, and you would very greatly improve all your arrangements if you could get the whole of the intelligence of London directed to the study of our wants and to the improvement of this great City.

2368. Have you considered that if all the duties you have suggested for a very large district were performed by a single Board, it would require a very large amount of personal attention on the part of the members of that Board to perform the duty?—I look upon it that the chief work should be done by paid officers, and that the duty of the Board would be to appoint these officers, to superintend and to dismiss those who did not attend to their duties.

2369. You would not look to the Board itself doing the work, but to its merely superintending the

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the administration of a well-paid body of officers?—The Board itself should not take any very active part in the administration. The executive duty should be discharged by paid officers appointed by the governing body, pretty much as the government of this country is now carried on.

2370. Can you suggest any means by which persons of higher station in the metropolis could be induced to take part in the administration of its local affairs?—We see that very able men, as we are very glad to acknowledge, come forward as candidates to represent the Parliamentary boroughs in the metropolis; I do not think you would get men of that ability, under the present arrangements, to represent parishes in the vestries. Probably if the representatives were town councillors or held some conspicuous place in the eye of the public, or could do really useful public work, eminent men might be induced to come into these bodies, and to act in them. They are now deterred partly perhaps by the rough attacks they encounter from persons who escape public observation and censure.

2371. Do you mean from their colleagues in the vestries?—Yes.

2372. You think that the contention there is not sufficiently polished to make it agreeable to persons of higher standing?—There are a few men in all the vestries, vulgar and ignorant, who make it very disagreeable to other men to meet them in the conduct of business.

2373. You would adopt any system which would tend to the exclusion of persons of more humble position in the parish?—It would be desirable that persons of humble condition should be represented, and should indeed appear to a certain extent in these bodies; but it is very desirable that the vestries should not consist exclusively of the lowest class of men.

2374. You mentioned that you had yourself seen places in the metropolis unfit for habitation?—Yes.

2375. Can you state where they are to be found?—I have seen them in St. Giles's, I have seen them in the Strand Union, in Marylebone, and on the south side of the river, during the time of cholera, Lambeth and Southwark.

2376. When you say "unfit for habitation," do you mean that the houses are built in a way that the actual structure is unfit for habitation, or do you mean that they are not provided with those accessories which would make them desirable?—In some cases they are very badly constructed, and very often they are without water and other conveniences with which habitations should always be provided.

2377. We do not understand you to mean that the house in its structure is unfit for habitation, but that it is not provided with those accessories which are necessary to make it properly habitable?—Some houses are unfit for dwelling places; on the south side, for instance.

2378. Do you mean in structure?—Yes.

2379. In what respect?—They are very badly built, or out of repair; the roof is neglected, and so on.

2380. You mean that they are not weather-tight?—Yes.

2381. Mr. *Mill.*] Are they not sometimes built back to back, so that there is no proper ventilation?—Yes, they are built back to back in some instances.

2382. *Chairman.*] If they had fronts, it does not matter much?—It is important that there should be a free current of air; you never can well ventilate a room like this, for instance.

2383. Are you not now proposing that which nobody in this country would ever adopt, being in a thorough draught?—Back to back dwellings are always unhealthy.

2384. Does not that depend upon the amount of ventilation they have in front?—Not entirely; you have a wall passing straight between the two houses, so as to completely prevent a current of air, without which you cannot secure ventilation.

2385. If there is a staircase, have you not always a ventilating shaft, which gives the most perfect ventilation, if you choose to have it?—That operates to a certain extent, but practically it is impossible to ventilate these back to back houses so effectually as you can houses that are not built in that way.

2386. Is it not the fact that if you attempt to introduce a current of air by any process into the houses of the poor, who cannot afford to keep up large fires in their rooms, they will invariably stop up the currents?—They are disposed to do so.

2387. And is it not for them a necessity, arising from the circumstance that fuel is so expensive in the metropolis?—Yes; I think that coal is a necessary of life, and we always notice that when there is excessive cold in London, it kills a certain number of persons; from 100 to 200 or 300 a week.

2388. If you have been in the coal districts, where coal is very cheap, you have seen people burning a good fire with the windows open?—Frequently.

2389. And here, as they cannot afford to have a good fire, they shut up the window and make the most they can of their animal heat?—Yes.

2390. The probability, therefore, is that no system of ventilation would be of any practical value?—You aggravate the evil by your structures, as they are now.

2391. Still, with these back to back houses, if they choose to make an orifice over the door for the purpose of ventilating into the shaft of the staircase, they could have the most perfect ventilation?—I do not think it would be perfect, or approaching perfection. I have studied that matter in connection with barracks and hospitals, and I am persuaded that you cannot get perfect ventilation unless you have openings on both sides.

2392. Is not the case of barracks and hospitals extremely different from that of a domestic room which is 12 or 15 feet square, while a barrack is 100 feet long, so that in the one case there may be a tolerably free current of air, and in the other it becomes impracticable, through the comparatively small orifice in the passage?—It is more difficult to ventilate a very small room than a large one: you get a less current of air through it.

2393. But, on the other hand, the orifice through which the air passes is larger in proportion, is it not?—It might be.

2394. Are you not able to get the air out into the orifice before it so far cools that the product of the combustion in the lungs comes back again into the body of the room down the walls, when the room is small?—When you crowd people into a small room, you retain the animal heat, no doubt; that is what people are apt to do, and what you should discourage them from doing.

2395. At the same time, if they choose to let the air so heated go off in a small room, ventila-

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tion becomes perfect?—If they open their windows freely it will do so.

2396. Mr. *Mill.*] Does not Dr. Arnott's ventilator, on a principle similar to that of Jeffrey's respirator, enable you to get rid of the foul air, without losing the heat?—That is a good arrangement. I have adopted it myself, carrying the gas through the central tube, and admitting cold air through the tube that surrounds the other.

2397. The hot air going out warms the cold air coming in?—Yes.

2398. *Chairman.*] I suppose, like other inventions, that does not find its way into the dwellings of the poor, or, indeed, of other people?—No.

2399. Mr. *Bazley.*] In the construction of back to back dwellings, would it not be easy to put up vertical tubes that would serve as ventilators, and give a thorough draft front to front into the ascending column of air within the tube?—It would be very desirable to do that as some mitigation of the evil.

2400. *Chairman.*] You could very easily have a shaft between the houses, as in the case of large buildings in France?—That would be very desirable.

2401. Mr. Alderman *Lawrence.*] Still if you had power to prevent the houses being built back to back, you would do so?—Certainly.

2402. Sir *William Gallwey.*] I suppose you have paid considerable attention to ventilation?—I have.

2403. And you have seen it in practice, I suppose, as well as studied it in theory?—Yes.

2404. Do you acknowledge that it is the most difficult question that possibly can be considered, and that it has never yet been solved?—It is very difficult, no doubt.

2405. And you have never seen any means by which ventilation has been secured either to small or large buildings?—Yes, I have. I was in the Manchester courts of law the other day, and I was quite struck with the arrangement.

2406. I suppose you know the principle of the double syphon introduced by Mr. Watson, with two shafts side by side, the air descending one, and ascending in the other?—Yes.

2407. You said that you considered that the poor abstained from opening their windows on account of the dearness of coal?—I did not intend to say that.

2408. You must be aware that we have great difficulty in the country with regard to ventilation, just as in towns; great difficulty in inducing the poor to take advantage of it?—I know that is the case in the cottages of agricultural labourers.

2409. Not only in winter but in summer?—Yes.

2410. And with regard to any means of ventilation you could give to cottagers, you must invariably look after it or it will never be used, but be considered as a nuisance?—That is the case often, with regard to hygienic works.

2411. You have referred to the advisability of persons of a higher class attending the vestries; are you aware that in St. James's, Westminster, every endeavour is made by the parish authorities to obtain persons of a higher class?—I am not aware of the practice there; I know it was so in Marylebone, where I lived.

2412. Do you not think that there is a great difficulty in the election of persons of a higher class to vestries, arising from the single reason that gentlemen pass so much of their time in the country and cannot be constant in their attendance?—There is that difficulty no doubt in the west end of London.

2413. Mr. Alderman *Lawrence.*] From your knowledge of the sanitary condition of London, if you had the power, I presume you would direct that the whole of the gas works, slaughter houses, and cow sheds, should be removed out of the populous districts?—Certainly, the cow sheds and gas works.

2414. And the slaughter houses?—Yes.

2415. You have alluded to the population of the City of London being of itself not sufficiently large to entitle it to a separate jurisdiction; I presume that the census is taken for convenience at 12 o'clock at night, and not at 12 o'clock in the day, and that the census population of the City of London, therefore, is the sleeping population?—Certainly.

2416. In most cities and towns, I suppose the sleeping population and the day population amount to the same thing?—They correspond.

2417. But are you aware what the population of London is in the day time?—I am not; I see there is to be a day census taken, and I am curious to know the number.

2418. But, for all purposes of business and trade, the day population is the correct population of a city or town?—I suppose the day population does not take the same part in the municipal government of the City of London as the night population.

2419. When I allude to the day population, I mean persons who are carrying on their occupations in their offices and places of business?—No doubt those matters have to be considered in the police arrangements and the traffic arrangements. You have to take into account particularly the day population in traffic arrangements.

2420. Are you not aware that nearly all those who take the management of the affairs of the City of London, do not sleep in the City at night?—I was not aware of that; I thought the Common Council generally were resident shopkeepers and other people of that class.

2421. You are not aware that, taking the whole body of the Common Council, probably not 10 per cent. sleep in the City?—I was not aware of that.

2422. That applies also to the City officers, and almost all persons having offices in the City sleep out of the City at night?—It is quite fair, I think, in considering the relative importance of the City of London, to take that element into account. It is not taken into account in the census. The City is, no doubt, of much greater importance than it appears, if you consider merely the figures given in the census.

2423. Mr. *Mill.*] To return to the subject of a subdivision of the metropolis, would you prefer having one and the same division for all purposes rather than a separate division, as at present, for each of the separate purposes?—That appears to me desirable for London, as it is desirable for the country at large; that you should divide the country pretty nearly into five subordinate districts. In France you have communes, cantons, arrondissements, departments; they want groups of departments corresponding to provinces. There should be about five divisions, the larger always comprehending the smaller ones. I am quite aware that, for certain purposes, you might very conveniently unite groups of the smaller districts, or you might even subdivide; but, as a general

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general rule, I think you should confine yourself to your unit, to your smallest elements, and then make groups of those. And for all administrative purposes I should prefer adhering to those general groups, for nearly all purposes.

2424. I think I understood you to say that one of the strongest reasons for having only one division for all purposes, is that in that case the same set of officers could take charge of all or many of the different duties, whereas if you had different districts for each kind of duty you would need a different set of local officers for each?—Yes; that would be a question of economy.

2425. That is a consideration not likely to occur to the officers at the head of these special duties. They, only thinking of their special duties, if they find a division that is convenient for that purpose, would not be likely to consider any convenience that would require them to have before their minds other duties as well as their own?—Certainly. If all the heads of the departments to which the Honourable Chairman referred were brought together in a room like this, and if they said, "Let us consider whether we can arrange that the same district shall serve for all purposes:" I have no doubt they would make some general arrangement which would suit nearly all purposes of administration.

2426. And the convenience arising from having only one set of officers for all the various duties, would be only likely to occur to them if they were brought together, and would not be likely to operate as a motive on each of them separately?—In that way the evil has arisen: each officer sits in his own room and considers the case before him. If all the heads of departments were brought together and asked by this Committee to consider whether they could not make several subdivisions of the metropolis serve for nearly all purposes, I have no doubt that those eminent men would be able to agree on a general subdivision of the metropolis.

2427. Then, for statistical purposes, I understand you to say that you consider it of importance that the different kinds of statistical facts should be obtained for the same circumscription, in order that they may be of use for the purpose of comparison?—It is indispensable for the purpose of reasoning, and for the purpose of direction in administration.

2428. Therefore, that is an additional reason for having the same district for all the different classes of facts?—Certainly.

2429. Then, with regard to the desirability of obtaining a superior class of persons as members of municipal councils, I think the reason why you are of opinion that this would be obtained better under the proposed municipal system than under the present is twofold; you think that the motive which would induce a superior class of persons to come forward would be, first, the greater importance of the office, the greater importance that they would attach to the duty itself, owing to the concentration of a number of different districts into one; and, in the second place, the greater publicity to which they would be subject, being more in the public eye, so that they would get more credit for doing their work well, and greater discredit for doing it ill?—Certainly; there would then be real responsibility. The public eye would be directed to all these scenes of action, and would control them.

2430. *Chairman.*] For the purposes of election you would divide your district into wards, so that each member of the municipality, whatever it might be, would be elected by a separate ward; or would you have the members elected by the whole body?—That was my opinion at one time. I had the honour of conversing with Lord Llanover about his Bill when he introduced it, and it appeared to me that it would work better in Marylebone if the parish was divided into wards. Before that a certain number of men formed a general list of the vestry, and we were obliged to vote for or against the list. We were completely at the mercy of the gentlemen who formed the list, and it occurred to us that it would be an improvement of the arrangement if each parish was divided into wards, and if each ward sent its own men; but I am not convinced that it works better than the other arrangement. I have some doubts about it; an improved method of election is required.

2431. Having considered the matter before, and having had some experience since, to which conclusion would you adhere?—On the whole I am, perhaps, in favour of the ward electing, as I am guided by the analogy of what is done under the Municipal Act. In fact I should not in the present stage of the business venture to propose any further alteration in the municipal organisation of the country, than that it should be extended to London.

2432. Then each member being elected from his own ward, do you think it would be necessary to consider the distance he would have to go to the central office for the purpose of transacting business, having regard to the fact that he is a volunteer, unpaid?—It would; that is attended to, I think, in Mr. Horton's arrangements. The size of the districts would be convenient for those who chose to walk, or get into an omnibus, except in one or two cases.

2433. In some cases, do you think the districts would be too large for the reasonable convenience of the members elected from the outlying districts?—The distances would be nothing compared with the distances travelled in the country; to boards of guardians, for instance.

2434. Having regard to the way in which people value time and distance in the metropolis, do you not think it is an important element to be considered?—It is a very important element, but with the railways, Hansom cabs, and omnibuses in London, travelling is rendered easy in the metropolis. The pedestrian it is true is now in some danger of being killed in the streets.

2435. Is there not an indisposition on the part of people to be put to any expense, when they are merely acting as volunteers—Certainly there is.

2436. You are aware that in the City of London, where there is a very efficient administration, there are always great inducements held out to the corporators to take part in public affairs?—Yes, and I think that is very fair.

2437. There would be no such inducements in the purer administrations in other parts of the metropolis?—I should not object to any inducements which would be likely to promote the public interests being held out.

2438. Do you think it would be desirable that the elected member of the municipalities should have some inducements for regular attendance?—I think so; not perhaps in pay.

2439. Do you not think it would very much increase the competition on the part of those who are least desirable, if they could get something out of it?—I wish to "stand on the old way,"

as to the municipal organisation of the country, and if any reform is made, it should be universal; it should not be solely applicable to those new bodies, but extend to all the 208 municipalities. I may further add, it is for the public advantage that the affairs of each municipality should be transacted in one large building, so that documents and public officers might be easily accessible. This building would be the Town Hall, the Guildhall, the Mansion House, or the Hotel de Ville of continental cities. Here would sit the town council, the mayor, the judges, the magistrates, in convenient chambers; each branch of public administration would be accommodated: the poor-law relief office, burial office, surveyor's office, highway and street office, sewers office, water office, fire-brigade office, registration office for marriage, birth, and death; the municipal records, the municipal library, the literary and scientific institution, the hall for lectures, the municipal post office for letters, money orders, insurance, and annuities; the revenue offices, the rate offices, the election offices, in which the electors would be annually enrolled and revised; the militia office. Hume called London an ugly city, in the time of Queen Elizabeth. It is ugly now; and yet the people of the metropolis are not destitute of taste for good architecture or for any of the fine arts. They can appreciate every kind of excellence. But in our vestries there is no machinery such as existed in the Italian cities, for the creation or conservation of works of art, embodying the ideas of the time. Excluding churches, of which we have grand specimens, and the City public buildings, our only great public structures are gaols, workhouses, and lunatic asylums, which lodge the unhappy specimens of our countrymen that ought to be pitied, and not to be obtruded on the attention either of our own people or of foreigners. It is not from such objects that the artist can draw inspiration; but the public town halls would afford fair scope to genius. Here statues and portraits of public men, or other pictures and fair statues, may be set up, in buildings worthy of the first city population of the world. The great economy, from the concentration of offices, would justify a sufficient expenditure on the eleven halls of the eleven boroughs. At present hundreds of public officers, and public offices are scattered over the obscure streets of London; few people know where they can be found; instead of inviting, they thus shrink from observation. The vestries, at times, meet in mean buildings in the corners or sides of streets; they are rarely attended by the public, and do not carry on their discussions in the presence of a critical audience. Cicero remarks somewhere, that a man is judged by the mansion in which he lives; and the scattered lodgings of the governing vestries and public officers of the London parishes are no incorrect types of the whole of our local administration. It is at once anarchic, inefficient, and ignoble. The streets of London, in which 315 persons have been killed, and thousands wounded, day after day, during the 68 weeks ending last Saturday, are emblems of the work of the metropolitan administration, open to observation; and it is to be feared that the difficult operations out of sight, are at least equally disastrous. The want of municipal organisation with which political representation, in conformity with the theory of our constitution, should be indissolubly connected, deprives the metropolis of that fair share of influence in Parliament to which its inhabitants are entitled, on the grounds of (1) intelligence; (2) electoral qualification; (3) property; (4) population; or (5) on any other basis of estimation. Thus the metropolitan cities and boroughs, with a rental of 20,210,426 *l.*, a population of 2,657,488, and 163,058 electors, return 18 Members for eight constituencies. The other English cities and boroughs, with a rental of 20,857,899 *l.*, a population of 6,669,221, and 350,968 electors, return 320 Members for 192 constituencies.

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2440. You have made several allusions to France. Are you in a position to say whether there is or not a greater indisposition on the part of persons in any district to take their due share in the municipal government than in this country?—The Government there appoints the préfet and the maire.

2441. But in regard to the elected members?—I am unable to say.

Mr. George Horton, called in; and Examined.

2442. *Chairman.*] What are you?—A Clerk in the General Register Office.

2443. Mr. *Mill.*] You last year published a pamphlet on the municipal government of the metropolis, which attracted a great deal of attention?—Yes.

2444. What did you propose in that pamphlet?—I proposed to divide the metropolis into 11 boroughs and 99 wards, taking the metropolis as defined in the bills of mortality.

2445. Does that include everything that you think it desirable to include?—No; I think it should include the hamlet of Penge, as that is included in the Metropolis Local Management Act.

2446. Are you acquainted with the provisions of the Bill that has been handed in to the Committee; do the divisions in the Bill coincide with those proposed in your pamphlet?—Almost exactly; it proposes to leave the City of London as it is; I merely proposed a few alterations to round off the boundaries.

2447. Neither in your plan nor in the Bill are the boundaries or districts adopted exactly coincident with the Parliamentary districts; what is the reason of that?—The existing Parliamentary boroughs do not seem to offer a suitable basis for a permanent arrangement, because, in the first place, there is a great inequality in the population in these various boroughs; the population of the Tower Hamlets, for instance, is 647,000, according to the census of 1861, while that of Greenwich is only 139,000; secondly, the Parliamentary boroughs do not include the whole metropolis; there are certain parishes in Middlesex, Kent, and Surrey which are excluded, and they contain altogether a population of about 338,000; I thought it advisable that they should be all included.

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2448. Besides including those districts which are not at present Parliamentary districts, you also take away certain parishes from some of the existing Parliamentary districts, and form new districts by an aggregation of those?—That is

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with a view of equalising, as far as possible, the population and the area of the various boroughs.

2449. Do you effect a tolerable approach to equalisation by that arrangement?—I think so. According to the scheme in my pamphlet, the highest population is in the borough of Southwark, which contains a population of about 347,000, whereas the Tower Hamlets at present contain a population of nearly twice that number.

2450. You would propose to divide the Tower Hamlets into two parts, for municipal purposes?—Yes.

2451. That is the only alteration you make in the Tower Hamlets?—Yes.

2452. Should you not think it desirable to include the West Ham district along with the Tower Hamlets?—There are besides this various other outlying districts in the north and west upon which a great difference of opinion is likely to prevail as to whether they should be included or not; for instance, Brentford and Chiswick, in the west; Edmonton and Highgate, in the north.

2453. These, however, can hardly be considered at present to be continuous with the metropolis?—I think Turnham Green and Chiswick, Brentford, and Kew, may be considered to be so.

2454. Perhaps in this sense, that there is one continuous line along the road that leads to them, or pretty nearly so, but there are not cross streets so as to make it, as it were, a town quarter?—I think each is as much a town quarter or more so than some of the districts already included; for instance, Eltham, Lee, and Kidbrook. Consequently, in the Bill I think power is taken to include such districts as may be from time to time thought advisable.

2455. You think, then, that the area of the present Parliamentary districts is too great for the convenience of municipal government, and that it is desirable to have a smaller area, with a smaller population, than that of Marylebone or Finsbury as at present constituted?—Certainly, and I am of opinion that one system of districts should be adopted for all purposes. Some may think the present system more convenient perhaps; I think it seems a more sensible arrangement to have but one system for the whole; and if it is to be so, I think it should be such a system as may serve for police court districts, county court districts, poor law unions, registration districts, and other local purposes. I do not say that this is absolutely necessary, but I think it is desirable.

2456. You think in that way there would be a tolerable approach to an equality in the amount of duty thrown on the municipal bodies?—That was one of my principal ideas. They would be tolerably equal in area and population, with the exception of two boroughs on the south side of the Thames, Greenwich and Lambeth. There it would be impossible to equalize the areas and the population, because they are much more thinly populated than the boroughs on the north side.

2457. When you speak of Greenwich, you understand the whole Parliamentary district, including Woolwich?—I am speaking of the borough of Greenwich, as arranged by myself, which would include the whole of the union of Greenwich and the union of Lewisham, and is much more extensive than the present Borough of Greenwich.

2458. You do not propose that the whole Parliamentary district of Greenwich should be included in the metropolis. You do not consider Woolwich as a part of the metropolis?—Part of Woolwich is included in the Parliamentary district, and the whole is included in the metropolis according to the Metropolis Local Management Act.

2459. Do you say that it is?—Yes, Woolwich is.

2460. There is a considerable district which has grown up adjoining the Lewisham district. There is an entirely new quarter consisting, of Lee, and part of the Blackheath district?—That is all included in the new borough of Greenwich which I propose. The present Parliamentary borough of Greenwich comprises St. Paul's and St. Nicholas, Deptford; part of Greenwich, Woolwich, Plumstead, and Charlton; only portions of the last four parishes. I propose that the whole of those parishes should be included in the borough.

2461. *Chairman.*] And you add Lewisham?—I should add the parishes of Lee, Kidbrook, Lewisham (including Sydenham) and Eltham.

2462. Mr. *Mill.*] Your pamphlet contains a list of the parishes that would compose each of the districts that you propose. Have your views on that subject been at all modified, or do you still adhere to the lists given in your pamphlet?—I still adhere to that list. I think it would be advisable that the Parliamentary boroughs and the municipal boroughs should be co-extensive, but it would depend upon how many additional members might be allotted to the metropolis under the new Reform Bill, whether we might be able to adopt an entirely similar system for Parliamentary and municipal boroughs.

2463. The division you propose, being grounded on area and population, is one which you think would be convenient for Parliamentary purposes as well, in case it should be decided to give additional members to the metropolis?—I think so; but perhaps I may say that, as a temporary measure, I proposed that the existing members might, if this system should be thought advisable, be distributed amongst the new boroughs.

2464. Are you able to give a list of the places that might be considered as central in the different municipalities that you propose to create, and suitable situations for municipal buildings?—Charing Cross might be considered the centre of the City of Westminster. I consider that High-street, Kensington, would be about the centre of the new borough of Kensington; and Marylebone-road would be the centre of the new borough of Marylebone; Euston-square would form nearly the centre of the new borough of Bloomsbury; "The Angel," Islington, would be about the centre of Finsbury; Hackney-road, of Hackney; Whitechapel-road, or Commercial-road, of the Tower Hamlets; Kennington Park, of Lambeth; and New or Old Kent-road, of Southwark.

2465. Supposing these districts formed the basis of Parliamentary representation, I think the additional representation they would get, if each had two members, would only amount to six?—Six, including Kensington.

2466. *Chairman.*] I suppose you have heard Dr. Farr's evidence?—Yes.

2467. Do you know much of the habits of the class of persons who are likely to be members of any municipal body?—No, I have never mixed much amongst them. I never attended a vestry meeting in my life. But I think it is likely that you would get persons of higher standing to seek the office of councillor or alderman than that of vestryman; there would be more importance attached to it.

2468. Do you think that people are likely to go from the neighbourhood of Lincoln's-inn to "The Angel," to transact business?—I do not propose to include Lincoln's-inn in the same borough as "The Angel."

2469. It is in Finsbury at present?—I propose to alter the boundaries of the borough of Finsbury.

2470. Mr. *Mill.*] It is in Bloomsbury?—Yes; the centre of that would be Euston-square, not so very far off.

2471. *Chairman.*] You are not much acquainted with the general character of the present municipal administration?—No.

2472. And you look at it purely as a question of methodising population, areas, and boundaries?—Yes.

2473. Is not that rather an abstract question than a practical one?—No; I think it is a practical one.

2474. It would only be a practical question supposing the administration of all the different matters were in the same body. So long as there is a separate administration, for example, for the police, the post-office, the revenue, and the poor law, does it matter to anybody precisely whether the boundaries of the districts that these different administrations use for their affairs coincide?—I do not know that it matters to anybody in particular. It seems rather an anomalous arrangement that they should all adopt different districts. I do not see that the present system can be defended as a system.

2475. With regard to drainage, the system best to be adopted would be one that would have regard to the flow of water in the drains of the parish?—Yes; that would relate more to arterial drainage.

2476. If you considered the drainage district, you would consider how water would flow in the drains?—At present the metropolis forms one entire drainage district?—If you were considering the postal district you would see how letters were collected and delivered, and not how the water ran?—Yes.

2477–8. If you considered the district for taxes you would consider what would be convenient for assessing and collecting the taxes without reference to the flow of water in the drains?—Yes; I do not think a different district is necessary. I should imagine that the same district that might do for the collection of taxes, would do for the post-office.

2479. That is an abstract idea cultivated in your department, but does not apply to the affairs of life, unless the administration of all these affairs is vested in one body?—I think if the metropolis were arranged with one uniform system of boundaries, it would tend to foster a spirit of unity amongst the inhabitants of the various districts; it would infuse a little life into them, and bring them more together.

2480. Do you think that metropolitan life would always take precedence of municipal life?—I do not think so; there is a good deal of local life amongst the vestries, and they will die hard.

2481. Mr. *Mill.*] For statistical purposes there would always be a convenience in having the same districts for different descriptions of facts, because facts of one kind often bear an important relation to facts of another kind, of which relation no use can be made unless the facts relate to the same districts?—That is the case

2482. There is also this consideration: that duties of different kinds may often be conveniently entrusted to the same set of executive officers: as, at present, many duties created by Acts of Parliament of a general and national character are habitually performed by officers who were originally appointed for merely local purposes; and in fact, if they were not, there would seldom be any other officers to do them, unless you created others for the purpose, which would occasion great additional expense?—Certainly; many duties of different kinds might be entrusted to one officer, just as in the case of the relief of the poor, the registration of births, deaths, and marriages, and the inspecting of nuisances. In many cases, these offices might be combined in one person; the man who goes to a house to register births or deaths in a poor district, would naturally have his attention drawn to the state of the house, and to any nuisances that might exist.

2483. *Chairman.*] Would you make him a parochial officer for other purposes than registering?—He might be a relieving officer; many registrars are relieving officers.

2484. Would not the Registrar General be unwilling to part with him, just as the parish might be unwilling to part with anyone within their jurisdiction?—I do not see that there would be any necessity for parting with him.

2485. If he became a parochial officer, responsible to the parochial authorities or the district authorities, then the Registrar General's Department would be broken up?—I do not see that. He would be responsible to both; to one for some duties, and to the other for other duties; in fact, that is the case now; many of the registrars are relieving officers, and of course they are responsible to the Poor Law authorities for their conduct in regard to the poor law, and to the Registrar General for their conduct in registration matters.

2486. If the two things are entirely independent, it would show that there is no necessary connection between the duties they have to perform?—It is found to be convenient.

2487. You would still preserve the independent responsibility?—We must do so; we cannot avoid it.

2488. In that case, how would you regulate the nomination of the officers; would you have the Registrar General bound by the nomination of the local authorities, or the local authorities bound by the nomination of the Registrar General, for the purpose of concentrating all these duties in one man?—I should leave that as it is.

2489. Then you would leave it in its separateness?—The Registrar General has not at present the appointment of the registrars of births and deaths; the local authorities appoint them as well as the relieving officers, in the majority of cases; and they frequently give the two offices to the same person.

2490. Do you think that the duties these people have to perform are not sufficient to occupy their whole time, and that they could take charge of larger duties?—I am certain that the separate duties are not sufficient to employ their whole time.

2491. Not all the duties they perform as relieving officers and registrars?—Not in all cases; it would depend upon the size of the districts; some are large and some are very small.

2492. Are not the districts in London large enough to occupy the time of a person as relieving officer

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officer and registrar?—I do not think that the relief districts are coextensive with the registration districts; the registration districts are very dissimilar in area and population.

2493. I am asking whether the district under the superintendence of a distinct Board is not large enough, and more than large enough, to occupy the whole time and attention of one person as registrar and relieving officer?—Each local Board of Guardians has more than one registrar; as, for instance, in the parish of Marylebone.

2494. Is not the smallest district large enough to occupy the time and attention of one registrar and relieving officer?—The smallest, as far as population is concerned, is Dulwich, containing only 1,700 people; the births and deaths in that district would be comparatively few, so that there would hardly be a day's work in a week.

2495. That is not a union?—It is a registration district.

2496. It is part of the union?—There is a separate registrar for Dulwich.

2497. But the union of which Dulwich is a part is very much larger?—Yes.

2498. Therefore, as regards the governing body of that union, it has the power of giving much larger duties, if it thought it desirable, to the registrar and the relieving officer of Dulwich?—I daresay it has.

2499. But probably it does not give larger duties on account of the extreme inconvenience to which it would put the people of Dulwich if they were all compelled to go for the purposes of relief and registration to a greater distance than the centre of Dulwich?—I do not think the guardians could at present extend the registration duties beyond the boundaries of Dulwich.

2500. Can you point to any district that is so small that it does not afford entire occupation for one person as the relieving officer and registrar?—The relief districts and the registration districts do not coincide; the smallest registration district is the Artillery district of Whitechapel, which contains only 25 acres; therefore, as far as area is concerned, that district might be enlarged; the population is 6,000, so that it would be very small for one officer and afford him but little occupation.

2501. As a relieving officer?—As registrar of births and deaths, and I suppose likewise as relieving officer; but I expect that the relief district would not coincide with the other; I am not acquainted with the boundaries of the relief districts.

2502. That is not a district in itself, but only a part of a district?—No; it is a registration district by itself.

2503. The Artillery district of Whitechapel is only a portion of the district of the Whitechapel Board of Works?—That is all.

2504. Therefore, if they thought it desirable, they could enlarge his district?—I do not think they could enlarge the registration district.

2505. It also forms part of the union which is coextensive with the Whitechapel district?—Yes.

2506. Therefore, if the Board of Guardians thought it desirable, they could enlarge his district for relief or registration?—I am not aware with whom the power rests of enlarging the districts.

2507. At all events, somebody could do it?—I cannot say positively.

2508. And if they do not, we must assume that it is for some good reason?—I do not think it follows that they have always reasons for not doing things.

2509. The question you have raised does not seem to be affected by the other question of grouping together districts into large municipalities?—I do not exactly see the meaning of your question.

2510. If the districts already existing are larger than is necessary to find employment for one man, how can the fact of the enlargement of the district affect the question?—I cannot say that I follow your argument closely enough to be able to give you an answer.

2511. If the districts already existing, and under one administration, are so large as to require more than one person to perform the duties, how can the enlargement of the district affect the question as to the employment of the individual?—I do not see that the districts are so large as to require more than one person.

2512. Have we not arrived at that as the result of the previous questions and answers?—I cannot say that we have.

2513. Where is the district that is so small that one man can perform all the duties of registration and relief within it?—It is impossible for me to give any information about relief, because I do not think that the relief districts coincide with the registration districts.

2514. Where is there a district so small that one person can perform all the duties of registration in it, and have leisure to do anything else?—I should say, for example, that in the Artillery district of Whitechapel, having a population of only 6,557, and being 25 acres in extent, the registration duties would occupy a very small portion of a man's time.

2515. But the district you have mentioned is only a small part of the district subject to the jurisdiction of the Board of Guardians or the Board of Works?—But it is a district entirely under one man, and the only portion he has to attend to.

2516. But the municipality, if they pleased, could employ that person for a larger portion of the district under their government, they having a very much larger district under their administration; is not that so?—At present there is no municipality.

2517. Are there not a Board of Works and a Board of Guardians for the same district?—Yes, a Board of Works and a Board of Guardians.

2518. For the administration of the whole district, of which that is a part?—Yes.

2519. Therefore they could employ that officer in a much larger district, if they thought desirable?—They could give him other employment.

2520. They could employ him over a larger district?—Yes.

2521. Therefore the fact of his being employed in that district, does not depend upon the district not being large enough for his employment, but upon the discretion that the municipality exercises?—I do not think that they could always vary the districts in order to make them large enough.

2522. If the municipality of Whitechapel has a jurisdiction over 78,000 persons, and only employs

employs this gentleman in a part of the district, with a population of 6,000, the enlargement of their area of government would not affect his employment, would it?—I think that Whitechapel should be united with other parishes into one municipality, and that the registrars' districts should be increased in that locality.

2523. But inasmuch as they have jurisdiction over 78,000 people, the increase of his district of 6,000 is wholly independent of the enlargement of their jurisdiction, because they can enlarge it from 6,000 to 78,000?—They would displace other officers, if they did.

2524. But they have power?—I do not know whether they have the power of enlarging their districts or not.

2525. Mr. *Mill.*] Do you not think that if an officer had not enough to do, it would often be a better arrangement to give him additional duties within the same limited district, than the same duties over a larger district?—I think it would certainly be more convenient and that all his duties should be confined within similar boundaries.

2526. The present Board of Works or boards of guardians would not have the power of adding to his duties by adding other duties within the same district; the only power they would have would be that of giving him a larger district for his limited duties, and that might not be convenient, but it might be convenient to give him within the same limited district other duties than those he now performs?—If I gather the meaning of the Honourable Chairman, he would suggest that although there is a small district for registration purposes, there might be a large district for other purposes.

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2527. *Chairman.*] For registration or other purposes, if the existing municipality choose to give it?—I do not think that would be a convenient arrangement; it would make things rather more complicated than they are now.

2528. Mr. *Mill.*] If all the duties were concentrated in one municipal body, they could concentrate all or many of the local duties within the same district in the same hands, while the present authorities have only the power of giving a larger district for duties limited in kind, and that might often not be convenient, while the other system might?—Exactly.

Mr. Thomas Beggs, called in; and Examined.

2529. *Chairman.*] What are you?—A Mechanical Engineer by profession.

2530. Where do you reside?—At 37, Southampton-street, Strand.

2531. Mr. *Mill.*] You have had some experience as a member of a vestry in Westminster?—I have. I became a vestryman of St. Paul's, Covent Garden, one of the six parishes forming the Strand District Union, in 1851, and was appointed by the vestry to represent it as one of the nine representatives to the Strand District Board, when Sir Benjamin Hall's Act came into operation.

2532. You have had a seat at the Board about nine years?—Yes; I resigned in 1864.

2533. And during that time did you pay particular attention to the working of the Metropolis Local Management Act, so far as your own district was concerned?—Yes; I took an active part in the management of the principal committee, the surveyors' committee. Some years before that I had an official connection with the Health of Towns Association. It became part of my duty at that time to look into the management in relation to sanitary matters, not only of the metropolis but of other towns throughout the kingdom; and I became satisfied, from the results of those investigations, that London was the most expensively, and probably the worst governed city in the empire. An attempt, it will be recollected, was made by the formation of a Commission of Sewers, which sat in Greek-street for some years, but that failed partly because of the conflicting elements of which it was composed, but mainly because it was an attempt to centralize, against which the ratepayers and the English people generally have a very strong objection; and observing the failure of that I took great interest when Sir Benjamin Hall introduced his measure, because, whatever might be the defects of that measure, he proposed to act through existing institutions rather than by subverting or superseding them, and I still think that it was a great improvement upon the old system, and that it lessened the number of jurisdictions and improved the management of the metropolis generally.

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2534. But you still think it leaves the local administration of London very imperfect?—Very defective indeed; and with the permission of the Committee, I will point out some of the leading features; let me take for example the district with which I am necessarily best acquainted, to show what I conceive to be the great defects of the present system; I have roughly sketched the boundaries of the parishes which form this district upon an Ordnance map (*the Map was handed in*). It will be seen to be one of the most eccentric things that could be devised; in fact, no one could have devised it; it is a mere accident. It will be seen that St. Ann's parish, Soho, beginning at Crown-street, Tottenham-court-road, goes up to Wardour-street, down Wardour-street, along Prince's-street, along Spur-street, then crosses Leicester-square diagonally, so as to leave two sides of the square in the management of one board and two sides in the management of another (St. Martin's-in-the-Fields), then it proceeds in a curious way until it joins Crown-street again, taking in only a part of St. Martin's-lane, the widest part of it being that opposite to Aldridge's Repository, leaving one end to St. Martin's-in-the-Fields and another end to St. Giles's-in-the-Fields, and leaving a piece out of the centre to the management of the Strand District Board; St. Martin's-in-the-Fields runs in between one part of the district and another. Then we come to St. Paul's, Covent Garden, where we have this extraordinary thing, that St. Martin's-in-the-Fields literally surrounds it, so that we cannot get out of St. Paul's parish into any other part of the district without crossing St. Martin's-in-the-Fields; there is one point almost of conjunction, where a man of strong nerves and tolerable agility might leap from the roof of one house to that of another; but this is in a passage. A number of eccentricities occur which I need not point out, as they will be seen

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in the map; then we come to the extreme end, and we find that the bottom of Chancery-lane is in the City, that the top is in St. Andrew's, Holborn, and the centre in the Liberty of the Rolls. This is an excessive inconvenience, as all practical men must know, for all the purposes for which the Act applies, the lighting, cleansing, paving, and so on. To show the subject in another light, I have prepared a schedule, which gives several particulars, that is the names of the six parishes, the population, the number of rateable houses, the amount of property-tax, the rateable value upon which the county and police rates are levied, the poor rate as per valuation lists, and the number of representatives at the Metropolitan Board.—*The list was handed in.* Vide *Appendix.*) In the district to which I am referring we have 42,979 persons; the area is only 167 acres; the number of rateable houses is 4,076; there are 49 representatives for the different parishes sitting at the district board. The first thing to which I wish to draw your attention is the unfair way in which two leading thoroughfares are thrown upon this small district; take the Strand, one of the leading thoroughfares, the most expensive part of which, from the bottom of Southampton-street to Temple Bar, falls entirely within the Strand district. The average cost of paving and cleansing that portion since the Metropolitan Act came into operation has been about 1,050 *l.* a-year; then we pay nearly 300 *l.* a-year to the Marylebone Vestry for a small portion of Oxford-street, through the centre of which the boundary runs; then we have all the approaches to Covent Garden, the busiest part of Drury-lane, and the busiest part of St. Martin's-lane. I may mention this singular circumstance, that there is not a single street approaching Covent Garden that belongs entirely to the district in which Covent Garden is situated; the cost of maintaining all these streets which I have mentioned is a very serious item, and the inconvenience is still more serious. In the case of dust-carts, which are very important as affecting the health of the districts, the inhabitants do not know, and cannot be supposed to know, whether a particular cart belongs to St. Martin's-in-the-Fields or to the Strand district; and the carts must necessarily travel over a larger space than would otherwise be necessary; the same thing applies also to cleansing, and to all the other purposes under the control of the Board. The expense of keeping this small district in a proper condition is, I think, very unfair, considering the position it occupies in the centre of London; and that is one of the evils arising from the present distribution.

2535. Are there any other disadvantages, besides those of which you have given an account, which you consider to attend the present subdivision?—I think there are a great many disadvantages, but the leading one is, that parishes associated together in this way have not always an identity of interest, or, what is the same thing, they do not suppose they have an identity of interest. Considerable confusion has arisen in the district which I have mentioned with regard to this expensive portion of the Strand, which has to be kept in repair. For some years we were disturbed by questions as to keeping separate accounts, and it was not until three or four years after the formation of the Board that the question was set at rest by the Board determining that such separate rating would be entirely in contravention of the Act of Parliament. Then there is another point, which I may mention; I have here the Reports of the Board for 1864 and 1865; I have made an abstract for the year 1865, which I beg to hand in—(Vide *Appendix*). I find that in 1864 the whole sum that had to be expended by the Board for all purposes amounted to 20,000 *l.*, and in 1865 to about 200 *l.* more, so that we may take it in round numbers at 20,000 *l.* Out of that 20,000 *l.* there is a sum of 6,792 *l.* paid over to the Metropolitan Board, which does not require a large amount of supervision, as it merely involves the handing over of cheques. The establishment expenses of the Board are necessarily very heavy, and I find that the whole expenses of the Strand District Board for 1865, including 566 *l.* for law costs, in a disputed matter between Marylebone and our own district, amounted to 3,147 *l.*; so that we actually, in the Strand district, expend more than 3,000 *l.*, in laying out upon the district itself about 10,000 *l.* per annum. Then there are some anomalies which I think it would be well to remove, even if nothing else was done. For example, there is no provision, in the Metropolis Local Management Act, for paying the expenses of the vestries. The vestries, to a large extent, exist now for the mere purpose of choosing representatives to the District Board. Their ecclesiastical powers still exist, but their secular powers are almost confined to one single thing, that of electing representatives to the District Board. But I find that there has been no provision whatever in the Act, by which the vestries can appropriate any portion of the rates; that is, they are compelled to pay over all the rates collected to the Board itself, and then they get returned to them what they claim for the expenses of conducting their own separate vestries. The amount returned to these six little vestries for expenses last year was 938 *l.* 19 *s.* 5 *d.*, which I have put amongst the establishment expenses of the district. That possibly may be called in question, but I think it is the proper column to put it in, because it is an expense connected with the working of the district. This, I think, arises from the very desultory and loose way in which the parishes are combined together. Then I wish to point out another thing which is objectionable as a matter of account as well as of efficiency. From the Report I have produced it appears that there is a clerk to the Board with a salary of 300 *l.* a year, an assistant clerk, 130 *l.*; a medical officer of health, 150 *l.*; sub-inspector of nuisances and messenger, 70 *l.*; surveyor and chief inspector of nuisances, 275 *l.*; clerk of paving works, 98 *l.*; clerk of sewer works, 78 *l.*; two inspectors, 78 *l.*; all these officers are appointed for that small district. It is a great expense falling upon a district like that, and is greatly disproportionate to what takes place in Marylebone or other large parishes where the original area has not been disturbed by the Metropolis Local Management Act. But what I wish to point out is, that in none of these cases do we have the exclusive services of the officers appointed. The clerk to the Board, under ordinary circumstances, is really little more than a minute clerk, though of course he sits at the Board to advise as to any matters of law, and therefore it was deemed necessary to appoint a solicitor. The assistant clerk is also the vestry clerk, and has a private business of his own as an accountant. The medical officer has a private

vate practice, and the surveyor and chief inspector of nuisances is allowed to take private business out of the district itself.

2536. *Chairman.*] What is the surveyor and inspector of nuisances by business?—He must necessarily be a surveyor. I am not complaining of the men themselves, I complain of the system. I wish to make no complaint of the way in which the duties of the district are discharged, or indeed of any other district, but I find that this plurality of offices leads to great discontent and dissatisfaction. If the surveyor does not happen to be present when called upon by a member of the Board, it is supposed that he is away upon his own private business, so that, instead of there being a mutual confidence between the officers and the committees, there is a latent feeling of dissatisfaction and discontent. In fact, the same results follow that, from my experience, that always follow wherever there is a plurality of offices in the same person I do not see how in a small district like this, with small revenues, sufficient funds can be collected to pay all these officers, so as to secure their entire services without such becoming a great burthen to the ratepayers. That could only be accomplished, as it seems to me, by enlarging the jurisdictions in all cases of this sort.

2537. Mr. *Mill.*] Do you believe that such disadvantages as those which you have pointed out are inseparable from the present system, or would it be practicable to effect any arrangement between adjoining districts, so as materially to lessen, and perhaps remove, the inconvenience you have referred to?—There are arrangements already existing, for example, where we join with Marylebone through the centre of a street from Tottenham-court-road to the end of Wardour-street, the Marylebone vestry doing the whole of the work of the street, and merely charging the proportion of expenses belonging to our district upon the Strand District Board. In other places where we go down the middle of a street, an arrangement, I believe, exists between our Board and the adjoining parishes or Boards to make a division of the work, not longitudinally, but across the street, according to area and convenience. I believe that at present such arrangements have not led to any very great difficulties, but I need scarcely point out that difficulties may arise, and indeed probably will arise from Boards not working in harmony. Boards may suppose that they have no identity of interest, and in this way disputes may arise as to the proportionate cost, and great inconvenience may ensue.

2538. Are there any other disadvantages which, in your judgment, are traceable to the great subdivision of jurisdictions?—There is one thing in relation to medical officers that I should like to point out, but that, perhaps, does not refer so much to a matter of jurisdiction as to the way in which the officers are appointed; there is imminent danger; I do not know that such a case has occurred with us, but I know it may occur, of medical officers being obliged to summon members of their own Boards for infractions of the Acts; I know it has occurred in several districts of the metropolis. I am not at present acquainted with any such case in our own district, but I think the danger of such cases is imminent.

2539. That, you think, would not be liable to happen if the districts were larger?—If the districts were larger, in a city like London, which is rather a conglomeration of cities united together, there must be a federal head to govern that work which is common to the whole metropolis, the management of the great thoroughfares, the main drainage, and matters of that sort. My judgment is that the appointment of medical officer ought to be in the hands of the federal government, in order to render him independent of the local Boards.

2540. What is your opinion of the present mode of election to the Metropolitan Board by the vestries?—When Sir Benjamin Hall's Act came into operation, I looked with considerable favour upon the plan of double election; that is, the ratepayers electing members of the vestry, and the vestry themselves electing representatives to the district Board. I have seen great evils in the system, and in my opinion the system of direct election would be a great deal better than the present.

2541. On what ground do you think it would be better?—I think it would create a greater responsibility; that it would bring into closer connection the represented with the representative, and would therefore secure better representation.

2542. Are you acquainted with the plan for the municipal administration of London, which has been embodied in the draft of the Bill that has been laid before the Committee?—Yes, I have seen that Bill.

2543. What is your opinion of that plan?—As to the general principles of the Bill, without pledging myself to its details, I should support it.

2544. Have you formed any opinion about the local taxation of the metropolis, and the improvement that might be made in it?—I have seen, during the time I have been a vestryman, and also a member of the Board, very great inequalities, but they are slowly adjusting themselves. There is an improvement going on, but I think the one essential thing would be the supervision of the whole. I know it is the opinion of many practical men, who have given much attention to it, that it ought to begin with the land tax. They point out great differences in the various districts, great inequalities, and they think that an equalisation of the land-tax ought to begin all reform as to rating.

2545. That, however, is not a local tax?—It is not a local tax. They take that as the basis. At present our local taxation is based upon the property tax. They merely urge the land tax as the basis. Without supporting that opinion (because I have not considered it sufficiently to be able to do so), I may say that I believe that the rating of the metropolis is very imperfect, and that the revision of it is very necessary.

2546. What do you consider are its special defects?—Its inequality generally. I know instances where rating has gone on for a great number of years upon the old system, upon a valuation made long before property had acquired its present value. The plan usually adopted, by some sluggish vestries in the centre of London, is this, that as leases fall in, and improvements are made, they re-survey the property, and re-assess it. In my own neighbourhood, within the last three or four years, I am told these discrepancies are disappearing very fast, but I know

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that there have been serious anomalies, so that the property on one side of a street has been assessed at a much lower rate than that on the other, from the mere fact that no revision had taken place for a series of years.

2547. Mr. *Kekewich.*] You mention the payment of 150 *l.* a-year to the medical officer?—Yes.

2548. What does he do for that salary?—His business is to look into the sanitary condition of the district, to examine the houses, with regard to overcrowding, deficiency of water supply, deficiency of privy accommodation, dust bins, and so on; in fact, the medical officer is very little more than an inspector of nuisances.

2549. He looks into all nuisances, and reports upon them?—Yes; he reports upon all those that fall under the category of being injurious to health.

2550. What power have these local Boards over the nuisances?—They have power to compel certain things to be done, and to cite delinquents before the magistrates.

2551. In fact, they have power of carrying out the Nuisances Removal Act?—Yes.

2552. Are not the nuisances under the view of the medical officer of the Board of Guardians?—Not at all.

2553. They are in the country?—Yes; but the administration of this Act is essentially different. I am fully acquainted with the operation of the municipal Act in the provinces, but the operation of this Act is very different in many points.

2554. Have you any difficulty in getting members to discharge the duties of these local governments?—We have a difficulty in getting suitable men. It has become in our parish, rather a mark of distinction and honour to have nothing to do with the affairs of the parish at all. I think that is one of the evils attending these small jurisdictions; they are so obscure that they do not afford scope for the honourable ambition of men who desire to gain reputation by public services. I know that it operates very seriously with us; I know that throughout the metropolis gentlemen of intelligence and activity, who can afford some time to the public service, have been deterred from allowing themselves to be put in nomination. The reason for that is, that if they have a grievance, and bring the matter before the Board, they are not heard outside, and it becomes a hopeless thing for a man always to be fighting in a minority. I know several cases of that sort where men have been working in the most straightforward and honourable way, but have been defeated time after time, so that they, by-and-by, get wearied. They say that there is no public outside to appeal to. We know that in this country with a free press, and a free platform, publicity is our great protector and safeguard. I must say from my own experience, in my own Board (and I wish to speak of it with respect), the tendency is for a Board so constituted to degenerate into a debating club. I think that in all assemblies, even the House of Commons, the consciousness that there is a reporters' gallery, and a public outside to read what is said, may have a very beneficial influence in checking a great deal of nonsense that otherwise might be talked. I know that it is so in municipalities in the country; in Manchester, Leeds, Birmingham, and other places. A man who is conscious that if he really has a good case, and that there is a majority unwilling to hear that good case, at any rate is satisfied that his constituents, outside, will hear of it.

2555. You think, and justly, that public opinion has great influence over the conduct of all men?—I think so, and that honourary distinctions are of great importance in stimulating men to action for the public benefit.

2556. But would these evils that you have mentioned be corrected, if the jurisdiction was enlarged; do you mean you would get better men to serve?—I believe so; I think if the jurisdictions, instead of being 37 as they are now, were reduced to something like 11, taking the Parliamentary boroughs as the basis, we should have better men. I do not see why Westminster should not be united under one management.

2557. Surely the better way would be that these bodies should be elected by the ratepayers?—I think so.

2558. As Boards of Guardians are now?—Exactly so; very much after that method. I like the mode of electing Boards of Guardians by balloting papers; but I do not see why Westminster should not be divided into wards as, for instance, Nottingham is: there the wards are divided according to the area, and the population, so as to secure as much equality as possible.

2559. It would be a strong argument in favour of such divisions, if you could give any good reason why you think that men of a superior class would become members of these Boards?—I can only speak from my own experience in the provinces. I referred to Nottingham, though I know that town is not in good repute. I was resident there for some years, and took a very active part in its public affairs. Its municipal matters are managed much better than might be supposed from the general character of the town, as exhibited before a Committee of the House of Commons. There were several very estimable men there, who devoted as much time, energy, and talent, to public business in Nottingham, as they did to their own business. They were men who had leisure, in consequence of having sons grown up and able to conduct their own private business. I have said to them, "What makes you give so much time to the public"? and they have replied, "Well, I began my career in such and such a manner, and have always had the ambition to be an alderman of my native town." Or some would say, "I should like to be chief magistrate of my native town." Well, if we look at all our institutions in England, the same motive operates; I should like to know what animates a great number of gentlemen who put themselves forward at great inconvenience to become Members of Parliament. It can be from no other object, where a laudable object exists, than that of acquiring an honest reputation by rendering service to the public. I believe the same thing influences local corporations to a large extent in the provinces. I do not see why Westminster, simply from the accident of its being in the immediate neighbourhood of other large cities, should be deprived of the same machinery for conducting its public affairs, and for providing some scope for an honourable ambition, as Manchester, Liverpool, or Birmingham.

2560. Mr. *Mill.*] You think that the approbation

probation or disapprobation of Westminster would be a stronger motive of action than the approbation or disapprobation of St. Paul's Covent Garden?—Certainly.

2561. Mr. *Turner.*] I suppose that in Nottingham and other provincial towns the proceedings of the different corporations are reported in the public newspapers?—Yes.

2562. And that is a great inducement for people to serve, it is an inducement and a check?—It operates in both ways, both as an incentive to action, and a check upon the conduct.

2563. Could you ever make the meetings of different Boards of sufficient importance to induce the public papers in London, which have so much other matter to report, to report those proceedings?—Probably not to the same extent, but to a much larger extent than now. It is a question of degree; the more public works assume magnitude and importance, the more likely is the public press to report them.

2564. The great means by which publicity is given are the reports in the newspapers?—Yes.

2565. Therefore if your meetings took place in private they could not have the same publicity?—No.

2566. Mr. *Mill.*] There are, I believe, local papers in different parts of London which would no doubt report the proceedings?—No doubt, it must be obvious that the two things are essentially different. I think there are five different managements in Westminster. If they were all concentrated in one, the whole business would become of a much more important character. The public press is deterred probably from the comparatively insignificant nature of the transactions of five or six different Boards.

2567. In fact they do not think that there would be sufficient public interest to induce them to give space in the papers?—Exactly so, if the whole of Westminster were under one management, it would be of considerable importance.

2568. Mr. *Mill.*] The more important matters that came before it, even such papers as the Times might think it worth while to report?—No doubt, as they report now the proceedings of the Metropolitan Board, and of the City Corporation.

2569. Mr. *Tite.*] Have you in your district, as is generally the case in other districts, inspectors of nuisances as well as a medical officer?—We have, they are subordinate to the medical officer.

2570. He does not go hunting about after water closets?—In some cases.

2571. His attention is called to those matters?—In many cases he goes himself.

2572. When his attention is called to the subject by the inspector of nuisances?—Yes, the inspector sometimes combines the office of messenger, with his other duties.

2573. *Chairman.*] There is a surveyor and chief inspector of nuisances?—Yes.

2574. You spoke of the medical officer, who must be a gentleman, a graduate, as being called upon to attend to those things which form the ordinary duty of the inspector of nuisances, who should report upon such matters, and then report upon them to the medical officer; is that so with you?—It is substantially so, only the medical officer in our district has been very diligent in many of these things; I do not mean that he takes the initiative, that he goes in the first instance, but he will go after certain houses are reported to him, and inspect them for himself.

2575. It is his duty to do so?—Yes.

2576. He is probably called upon to do so by the vestry itself?—Yes.

2577. I see you have a surveyor and chief inspector of nuisances, with a salary of 275 *l.* a-year; that is a large salary for the surveyor of a parish; I presume he is well acquainted with all the laws relating to these nuisances with regard to drains, sewers, cesspools, and so forth; but the medical officer must be really and properly a medical officer in the parish, if the other men do their duty?—Exactly so.

2578. Do you find this difficulty; that gentlemen of position and influence are afraid of taking part in these local bodies lest they should be summoned on juries, or challenged as churchwardens or overseers, or have duties imposed upon them which would considerably interfere with their private business?—No doubt that operates in a large number of cases; I believe, however, that many persons would be willing, and even ambitious, to serve if a proper mode of election was adopted, and proper security given to them in the execution of their labours.

2579. What mode of election, do you suggest different from the present mode?—I should suggest a direct mode of election.

2580. From house to house?—Yes.

2581. Do you imagine that a gentleman, to be elected for one year, and be called an alderman of Westminster, would canvass from house to house?—No, I do not mean canvassing; I mean that the names should be sent round; I am averse to any candidate for any public position being put under the necessity of conducting a canvass.

2582. Do you think that a gentleman who has many engagements, would take the trouble to get elected annually by popular election?—I do not know whether he would take much trouble about it; but probably some of the neighbours who were anxious to secure his services would take the trouble, and it would not be annually; there are annual elections, but each member of the Board is elected for three years.

2583. Why should they do it now, because there are fewer electors, and the difficulty less?—I think the difficulties are increased by the present system, not lessened.

2584. I am at a loss to conceive, by the present system being imperfect. I know how it works in Chelsea. Nothing could be better than it is there. The place is divided into wards; the people are intent upon the election, and there is a rivalry almost in every ward?—I admit, fully, that in Chelsea, Marylebone, and Islington, the old parishes and districts, where the area has not been disturbed (having been sufficiently large for the purpose), the system has worked much better. But if there has been no complaint in Chelsea, I know that there have been complaints in Marylebone.

2585. Notwithstanding its extent?—I know that there have been complaints, and I think, if you investigated the matter more, you would find that there have been complaints in Chelsea.

2586. I presume that there is no ratepayers' association, as distinct from your vestry, in your district?—None that I ever heard of.

2587. Do you know that there is in Chelsea, meeting every week?—I did not know that.

2588. And that they constantly call attention to the doings of the vestry, and to the persons who have been returned to the vestry?—I presume that would be their business.

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2589. Do you know also that in these large parishes the speeches and doings of the vestries are reported in the penny and halfpenny papers of the district?—Yes, I believe that is so, and I know it to be so in Clerkenwell.

2590. And in Chelsea, where there are two or three papers?—In Islington there are two or three papers that report the vestry meetings; but the influence of the large papers would be much more powerful.

2591. Doubtless; but do you imagine that the "Times," or any first rate paper, would report the proceedings of the districts as proposed?—I think so; I judge so, from the fact that if any large movement takes place in the great Parliamentary boroughs, Westminster or the Tower Hamlets, it is reported in the "Times."

2592. Politically, no doubt; do you mean socially?—I mean municipally; I think the proceedings would assume a character of such magnitude as to command attention from the leading organs of the press; still there is, no doubt, a salutary influence exercised, as you have pointed out in Chelsea, by the local papers. I am sure, if that is investigated, it will be found to operate as a great inducement to the right sort of men to take a proper position in public affairs, and to operate as a check also; but I am now directing my attention especially to the smaller and more obscure districts. We have no paper in the Strand district union, and I do not recollect any of our proceedings being noticed in the "Times" or the other leading papers, except on one occasion when we got into litigation with the parish of Marylebone.

2593. I presume you do not know the character of the members of the vestries and district Boards, except in your own district?—I know a good deal of them, but not so much as in my own district.

2594. Do you imagine that there is any natural difference between a poor man and a rich man, as to his ability to conduct business?—I do not know about natural difference; you may fairly presume that when a man has acquired a certain position by building up a business of his own, and gained the respect of his neighbours and friends, he will know a little more about public matters than a poor man who works from day to day in his workshop.

2595. The distinction you draw is a great deal too violent; take the ordinary tradesman of Chelsea, paying 30*l.* or 40*l.* a-year for his shop, very much the character of vestrymen generally, getting a living respectably, paying his way, and perhaps saving a little money; is there any reason why that man should not be as competent to attend to public business as any other class of men living in Lowndes-square, or anywhere else?—I believe such a man is often more competent than a banker or a merchant; but that does not always follow. If you withdraw as many false inducements as you can, and give as many proper inducements, the public at large (speaking from my experience in provincial towns as well as in London) will generally send a majority of the right men.

2596. In provincial towns you always get these questions mixed up with politics?—Unfortunately it is so.

2597. That is so, no doubt in Nottingham?—Yes.

2598. So that there is an inducement to a man to go into the corporation, such as cannot be supposed to exist in the new corporations which are suggested for London?—They would be so large that no political influence could operate?—It operates very often in an opposite way to that which you indicate. It operates very often in sending men for mere electioneering purposes. That is one of the evils of municipal institutions in the provinces, I know: they are made a political machinery, and very often a man is sent to the corporation not so much for what he can do for the legitimate and proper purposes for which he is sent as to be useful in a general election, or election for the borough, whenever it takes place. I have pointed that out repeatedly as one of the deffects of municipal institutions in the country. I apprehend that our municipal institutions in London would work a great deal better, because they would be to a large extent free from that objection.

2599. If it be true that in Nottingham and other towns the inducement to go into these corporations is because of the political influence which it affords, and if that motive were absent in London, you would not get the same class of men joining these bodies?—You would get a better class of men.

2600. Do you know that, in point of fact, Government has always great difficulty in keeping the balance of politics even; that with regard to the appointment of magistrates great pains are taken by the Lord Chancellor that there should be no more whigs than there are tories on the bench?—I am fully aware of that.

2601. All that affords a motive for a man to seek to occupy a position in his native town, which cannot apply to a place like London, where all such motives must be absent. If your scheme is of any use, you grant that politics must not be mixed up with it?—It is most undesirable to mix up general politics with the management of municipal matters.

2602. Then that motive being absent, which is the ruling motive in country boroughs, you still think that if you enlarged the area in the way proposed, you would get a different class of men (I will not say better, because a poor man is as good as a rich man) to become aldermen or councillors of these large boroughs?—I used the word "better" in a qualified sense, not meaning that a rich man was better than a poor man. I am simply speaking of men who are willing to give up some portion of their time, and who have attainments such as to justify their aspiring to become members of the corporations; in using the term better, I speak of ability not of rank.

2603. Do you mean to say that you have not such men in the Strand Union?—I believe we have such men there.

2604. But they are not returned?—They will not put themselves into a position to be returned.

2605. What is their class of character?—Men generally much like myself; tradesmen in a moderate position in life.

2606. Is not the business well done?—No, on the contrary, and very much left undone that ought to be done.

2607. The report looks as if it were carefully done?—The report may be carefully drawn; but what does it report: I have already pointed out that in expending about 10,000*l.* upon the works of the district, we actually spend 3,147*l.* in doing it. You will not find a parallel to that in the metropolis, nor I think anywhere else.

2608. Have you no power to remedy that?—We

We have no power to remedy it, because every tradesman will understand in a moment, that in public, as in private matters, in proportion to the smallness of the establishment, the expenses of management will increase.

2609. What has that to do with the question I have asked; why should the Strand Union spend 3,000 *l.*?—We have no means of remedying it; the Act of Parliament prevents our doing so.

2610. *Chairman.*] You must keep up this establishment for the duties imposed upon you by law?—The Act compels us to have certain officers; we do the best we can to get efficient officers, and we must pay them.

2611. Can you do without them?—No.

2612. Ought you to do without them?—We ought not to do without them.

2613. How can you save the expense?—I believe if the five districts in Westminster were united together in one general management, three or four benefits would ensue; first, we should avoid an evil which I think has arisen from the present small jurisdictions, that of serious expense; we should be able to manage the whole at a much less sum than the five different managements cost us; Marylebone, I believe (I do not speak with certainty as to the precise amounts, but I believe those I quote will be found sufficiently accurate for the purpose of comparison), costs about 7,000 *l.* a-year for the expense of management, whereas the five managements of Westminster cost about 17,000 *l.*, the area and the population being about the same. Now, it will always happen, I think, that Westminster must be a more expensively managed district than Marylebone, but not to anything like the extent of difference these figures show.

2614. You mean that if the areas were larger, you might have fewer officers in proportion to do the same business?—Yes; and we could better apportion the work.

2615. *Chairman.*] Your union is the same as the Poor Law Union?—Yes; the Act took the poor law divisions as its basis; it did not reconstruct anything; it did not regard the fitness geographically or otherwise of the parishes to be combined.

2616. If St. Martins-in-the-Fields was thrown into your district, it would make a compact district?—I do not know that; it would, of course, improve it.

2617. It would take in the broken parts, and make a district of considerable size?—Yes.

2618. Do you think that it would be a very workable district?—Much more workable than the present.

2619. Do you think it would be necessary to add St. James's to it to make a workable district?—I think so.

2620. It would then be about as large as Marylebone?—Just about the same area, and the same population.

2621. Mr. *Tite.*] You would increase the number of vestrymen?—No, I would lessen them.

2622. *Chairman.*] You have a very great number of vestrymen to manage this district?—We have six vestries, and we have 49 representatives from those vestries.

2623. Do you think it is too large a board for the administration of your affairs?—St. Ann's, Soho, parish, sends 18 members to the Board; St. Clement's, 15; St. Mary-le-Strand, 3; St. Paul's, Covent-garden, 9; and the very small parish of St. John's only one. The evil of such divisions we have already seen. In a question in which St. Ann's thought they had not an identity of interest with the other districts, they made an effort to secure a separate rate; and in another case they carried a question of considerable importance by the power the number and influence gave them; and of course a body of 18 men voting one way is a very important number in a Board of 49. The Board would have worked better had not the boundaries of the parishes been maintained.

2624. People who are remote from a local object will never attribute the same importance to it as those who are near?—If this district formed one part of a larger area, the men representing it would consider that they had an identity of interest with the other parts. They would represent the whole district, and not a part.

Thursday, 10th May 1866.

MEMBERS PRESENT:

Mr. Ayrton.	Lord John Manners.
Mr. Bazley.	Mr. Mill.
Sir William Gallwey.	Mr. Sandford.
Mr. Hugessen.	Mr. Tite.
Mr. Locke.	

ACTON SMEE AYRTON, Esq., IN THE CHAIR.

Mr. THOMAS BEGGS, called in; and Examined.

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2625. Mr. *Mill.*] IN your evidence the other day you stated that the management of your district was very costly, and at the same time very inefficient; will you explain in what the inefficiency consists?—Yes. When we first undertook the management of the district under the Strand Board of Works, we found from the previous management of the six parishes, everything in a very imperfect state; the paving, cleansing, sewering, in fact everything in connection with the district; and we had a continual conflict at the Board in order to get those things right, without ultimate success. I remember that on some four or five occasions the surveyor's committee, which was called the Committee of Works, on the representation of the surveyor made a strong appeal to the Board in order to have the paving put in a better condition. We had to contend with this difficulty; the surveyor had repeatedly come to us, and said, "There are certain streets in so bad and dangerous a condition that in all probability accidents will ensue, and if they do, and compensation should be claimed, I shall be put in the painful position to go against my own Board." On several occasions we, having surveyed the district with the surveyor, made a report to the Board; but we never found that they were willing to grant more than about half the sum claimed, after we had cut it down in committee as much as possible. I have here a document, which has been put in my hands since I left the Board, by which I find that a sum of 4,724 *l.* was asked for by the surveyor's committee, for general purposes, to be expended in 1866, and that the sum actually granted was 2,600 *l.* Now, from my own personal knowledge of the district, I know that that sum is quite inadequate to the purposes of putting the district in proper repair. I handed in a statement to the committee, showing that the management expenses of the district are entirely out of proportion to the work done, and I believe that the excess of what the management costs over what it ought to cost, would really meet the deficiency in this case, and enable the Board to put the paving and all the other matters in the district into a proper condition. This is a statement of their own, and it shows the matter just as it is.

2626. On the subject of rating, you stated that the rating is very unequal; are there any objections, in your judgment, to the way in which the rates are levied?—I think there is always an objection where the rates for the same purposes are divided. I have here my own rating papers for 1865. I am rated to the value of 200 *l.* in St. Paul's, Covent Garden. I find that the first rate is a general rate of 7 *d.* in the pound, made on the 5th May 1865, for paving, lighting, cleansing, improving the district, and carrying out the provisions of the Metropolis Local Management Act, the Nuisances Removal Act, and the Diseases Prevention Act. Then, there is a sewer rate of 3 *d.* in the pound, which is, in fact, a metropolitan rate; it is collected under precept from the Metropolitan Board, and is simply handed over to them. Then there is the Metropolitan Main Drainage rate of 3½ *d.* in the pound; so that there are two rates from the Metropolitan Board; one a sewers rate, and the other the Metropolitan Main Drainage rate; and then there is the general rate for all the general purposes of the district. I cannot but think, indeed my experience has shown, that this mode of rating is a very inconvenient one, leading to extra expenses in collection, increased trouble in supervision, and very often to some little jobbery and discontent. I find that in many of the provinces all these purposes are met by what is called a borough rate. That is the case in Birmingham; and I think, under a proper municipal management, that would be found to be the most convenient course, and the most likely to lead to the contentment of the ratepayers.

2627. Would not that be inconsistent with the principle that money voted by local bodies should be for special purposes; do you not think that municipal bodies ought to have the power of raising money only for specified purposes authorised by Act of Parliament, and not for general purposes at their discretion; or how would you adjust that matter?—The adjustment seems to me to be very easy. Here is an example: a committee appointed by the Board itself gives an estimate of what is wanted for the purposes of the district; then a rate is made by the Board for as much as may cover it; and when the whole of the estimates are before them, I do not see why they should not levy a general rate, rather than do it by

by piecemeal, partly for one purpose and partly for another, and this might embrace any sums wanted for special purposes.

2628. It might be thought by many that local bodies ought not to have the power of levying rates at their discretion for general purposes, for the benefit of the community; that Parliament ought always to decide beforehand what are the purposes for which the local bodies should be allowed to levy money?—I apprehend that under the Municipal Act that is so; a power is given for paving, lighting, cleansing and improving the district, and for levying rates for such purposes; but then the peculiarity of London is this, that a certain portion of the drainage (that is the arterial drainage, the main drainage) falls under the control of the Metropolitan Board, while the minor or auxiliary drainage is in the hands of the vestries and local Boards. Probably, if municipal authorities were found to be the best thing for London, with one federal head, it might be an expedient course to grant to the general body, who would have the control of all that which belonged to the metropolis generally, the power of levying a general rate, leaving the local authorities to do as they now do, levying a rate for local purposes.

2629. I merely wish to elicit your opinion on the subject?—My opinion is that one general rate is perfectly practicable for all these purposes; for all the purposes indicated by the Act of Parliament; that is the general and subsidiary drainage, paving, lighting, cleansing, and improving the district; and that that would be certainly the most convenient course. It is the one that the best municipalities in the country adopt.

2630. Have you any objection to make to the present qualification of vestrymen?—I know that in London there is great discontent in some of the vestries and Boards, on the ground that persons are elected who are not really *bonâ fide* occupiers to the amount of qualification laid down by the Act. I have a very strong opinion that the elected of any body of ratepayers ought to be *bonâ fide* occupiers to some amount. I believe 40 *l.* is the present amount, but that is evaded in various ways. It is evaded in our district in this way: almost the whole of the district is leasehold property; a person will get hold of some dilapidated property having 12 or 14 years to run, a large house never intended to be let out in smaller tenements; and he occupies a small portion of it himself, letting out the rest; so that it costs him nothing, because he receives as much or more than the ground-rent really comes to, and keeps the property just in as much repair as will meet the requirements of the case under the expiring lease. These persons often aspire to and obtain seats at the Board, and, I need not say, are not the class of independent shopkeepers or tradesmen in a district that we ought to seek to send to a district Board to expend the money of the ratepayers. I know that great complaints have been made, that facilities are afforded, under the present Act, for people of that class to get in.

2631. Those probably belong to the class that are most interested in thwarting the purposes of Parliament, particularly sanitary arrangements, and the improvement of the houses of the labouring classes?—They are the class most interested in keeping in check proper and legitimate improvements. We find the most difficulty from them; they are generally very loud in their protests against extravagance, while we generally find them practically the most extravagant.

2632. *Chairman.*] You would substitute as a definition an actual occupation to the value of 40 *l.*, instead of a rated occupation?—I should decidedly. It should be an actual occupancy of the premises on which the rate is made.

2633. Mr. *Mill.*] You said, if the division of London into municipalities was effected, that there should be a central Board, a kind of federal head, for the management of the joint concerns of the whole metropolis; what is your opinion as to to the constitution of that body?—I cannot give a very decided opinion as to the constitution of the Board, whether it should be elected from the several municipalities, or direct from the ratepayers. I am inclined to believe that it ought to represent the municipalities of London; that is, if you had 11 municipalities, that the central Board ought to be elected by them. I think if the members of the central Board were elected by the ratepayers it would have a tendency to create a conflicting authority. It was stated here, the other day, that there were in Chelsea, for example, some associations calling themselves associations for the protection of ratepayers, or some title of that kind; and we know that there are two or three in Marylebone. I think it is somewhat obvious that if such bodies were got up, and they might be got up for legitimate purposes or for merely factious purposes, the central Board might be put in a position of great hostility to the Boards that it is supposed to govern. It is a matter upon which I cannot give a very decided opinion. With regard to the other matter, I have no hesitation in stating my opinion that direct election, instead of the present confused plan, would be of great value. At present the ratepayers elect the vestrymen, then the vestrymen elect the members of the district Board, then the district Board elect their member to the Metropolitan Board; a very circuitous and unsatisfactory mode of accomplishing the end; but an election to the central Board is altogether a different thing.

2634. As you have not formed any decided opinion as to which is preferable in the election to the central Board, direct election by ratepayers or election by vestries, probably it would be desirable not to go into the minutiæ of that question at present?—I would rather not to do so, because I have not sufficiently considered it. I only wish to state that my opinion at present leans to the view, that the central body ought to be elected of the Boards.

2635. You believe that the complaint you have made as to the cost and inefficiency of the management under the present system is applicable to all the Metropolitan district Boards and vestries, more or less?—I have heard expressions of dissatisfaction, I believe, from every Board in London, that is from respectable and influential members of the Boards, that the present system is a costly one. I wish to hand in an amended return of one year's expenses of our district.

2636. *Chairman.*] Does it give a more correct analysis?—It does. (*The Return was handed in.—Vide* Appendix.)

2637. Lord *John Manners.*] You propose to have all the drainage rates, great and small, under the management of the central Board?—No, not all under the management of the central

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tral Board. I think the central Board would always have the management of the main drainage, that which belongs to the whole metropolis; but the local drainage of the several districts would properly fall within the jurisdiction of the municipalities.

2638. That is, in respect of the drainage, you would adhere to the present division between the Metropolitan Board and the local Boards, substituting the municipalities that you propose for the local Boards?—Exactly so, but I think with some modifications.

2639. Have you formed any idea in your mind as to the number of which the central Board you speak of ought to be composed?—I have not come to any definite conclusion upon that subject. I do not think it is a matter of very great importance. I think there is a great advantage in a small body, if it is really sufficiently large to discharge the proper functions; but from the statement of gentlemen who are on the Metropolitan Board, I should judge that that Board is not sufficient in number to appoint committees to manage the work without trespassing very much upon the time of business men; that is always a consideration that must influence the size of a Board.

2640. Do I understand you to express an opinion favourable to the election of the central Board by these 11 municipalities?—I lean, at present, to the opinion that the Board ought to represent the municipalities, and not the general public. That is my view at present, but I do not give a very strong opinion upon it.

2641. And assuming that to be the case, have you any scheme in your own mind as to how many members should be elected by each municipality to the central Board?—No; that would form part of the same question as to the total number; and I think that is a matter of detail that requires some consideration. I have not given so much attention to the details of a measure of that kind as I have to the general principles upon which it should be founded. Unquestionably I should give my opinion that the present number of the Metropolitan Board is too small, and that it would be decidedly too small if confined to the present number to carry out the arrangements contemplated in the Bill now before me.

2642. Are you aware, of your own knowledge, that the present number of the Metropolitan Board is too small to form committees for the due carrying out of the various works?—I am only aware that it is the expressed opinion of several members of that Board.

2643. Do you know whether it is the opinion of the Board itself?—I am not able to say; I have no means beyond those possessed by the general public of ascertaining the feeling of the Board itself.

2644. Mr. *Locke.*] Have you given your attention to the constitution of the City of London?—Some years ago I did more than at present. I know something of it now I am an elector of the City of London.

2645. I mean the Corporation of the City of London?—I know something of the Corporation.

2646. Supposing the City of London were extended so as to take in the whole metropolis, could you suggest a better form of government than that which at present exists in the City?—No, I could not. I believe the City of London is, on the whole, tolerably well managed.

2647. I am speaking of the principle upon which the business of the City of London is carried out; you are aware that it is divided into wards?—Yes.

2648. That there are aldermen in each ward and a certain number of Common Council men; that the business of a particular ward is conducted in that ward; and that the Court of Common Council and the Court of Aldermen sitting together form the Common Council, which is the legislative body of the City of London?—I am aware of that fact.

2649. When new schemes are being proposed, do you not think that it would be advantageous to consider what the present law in the City of London is, and whether, in point of fact, you could not take it as the law for the whole metropolis; that is, to divide the metropolis into wards?—I do not know that any new scheme is before me. I think that the scheme already proposed is merely one that has been already tried for a great number of years in the provinces.

2650. I understood you to say that there were to be 11 municipalities, each of which would elect members to be sent to a central Board, and that that central Board was to have some undefined powers which, it appears to me, would not be easily comprehended. The powers of the Court of Common Council have been recognised for centuries, and I believe are clearly understood by everybody who studies them?—Yes; I think it formed the basis of the Municipal Act, but I am not sure that I understood the drift of the question: if I was asked whether I should prefer the Corporation of the City of London as a centre for the whole metropolis of so many jurisdictions or municipalities, or whatever they may be called, I should say at once that I should prefer the Corporation of the City of London to the Metropolitan Board; but if I am asked whether the whole metropolis should be made into one municipality with the Corporation of the City of London simply as the head, I should say that I think it would be a most inconvenient and impracticable thing to attempt. I think the metropolis is too large to be governed by any single body.

2651. If you were to extend the principle of the Corporation throughout the metropolis, you would have an alderman in each ward; you could divide the metropolis into wards, with an alderman and a certain number of Common Councilmen belonging to each ward, and the government of each ward, up to a certain point (which is clearly regulated by the City of London), would be in the hands of the alderman and those under him?—Just so.

2652. Then the aldermen and the members of the Common Council would form part of the main body of the Corporation making by-laws and regulations for the whole metropolis; under that plan the whole metropolis would be represented in that body, namely the Court of Common Council, and the Court of Aldermen, who at present have certain duties distinct from each other, but when they both sit together they are the supreme legislative body of the Corporation. Do you think that there would be less difficulty in adapting that, than there would be in this new plan of yours, in which you would have to define the powers possessed by each branch?—I think there

there is really no difficulty in the plan to which I gave my assent. The result of such a plan as I would sketch out, or rather has been sketched out, would be this: take Westminster, for example. I suppose the first matter of detail would be to divide Westminster into separate wards; that is quite consistent with the Municipal Act, which governs Birmingham, Manchester, and other places; then these wards would elect their representatives to the General Corporation, and also elect their aldermen.

2653. What do you mean by the General Corporation?—The General Corporation of Westminster; I am speaking of Westminster simply as an example. But suppose a Municipal Act passed dividing the metropolis into 11 municipalities, I apprehend that one of the details of the Act would be to divide Westminster into a certain number of wards; the division is generally regulated in the provinces by area and population. These separate wards would elect their representatives to the Corporation; that, I apprehend, is neither more nor less than what is done in the City of London.

2654. Why should not Westminster, Marylebone, and the rest of these places be divided into wards; wards electing their aldermen and their Common Council to the main body?—Because I think the machinery would be much too cumbersome; and if the metropolis was represented adequately in such a body, it would become unmanageable; it would be as large as the House of Commons itself.

2655. Have you considered what are the duties of an alderman in his ward, irrespective of his duties in the Court of Aldermen and Common Council?—I am not so well acquainted with what takes place in the City of London as in the provinces. I know what the duties of an alderman are in the provinces; in such a town as Birmingham, for instance.

2656. Those duties are defined by the Municipal Corporation Act?—They are defined by the Act; I believe in the provinces there is no such thing as the councillors or aldermen of a ward having legislative functions; I believe they simply go to the general corporation, and there represent their views and act and vote in the general body.

2657. They have not such great powers as in the City of London?—No; and probably the existence of those great powers in the City of London might be one reason why the metropolis would grow restive under management of that kind.

2658. I am suggesting that the whole metropolis would be divided into wards, and they would send their own representatives; what reason could there be for becoming restive; they would all be represented, and would form a portion of the Corporation?—I have only one answer to give; in my judgment it would become altogether unmanageable from its size.

2659. However, you have not given particular attention to the constitution of the Corporation of the City of London?—Not sufficiently so to enable me to give an opinion of any value.

2660. Mr. *Mill.*] Do you not think that the average size of a ward in the City of London is very much too small to form the unit of municipal government; to form a separate municipal government in itself, as it were?—I think so.

2661. They are smaller than the present vestry districts?—Many of them are very much smaller.

2662. Mr. *Hugessen.*] I understand you would prefer that each division should be a separate municipality, as separate as Birmingham would be from the City of London?—Yes.

2663. Do you propose that there should be no aggregate authority?—I am asking for an aggregate authority for all that belongs to the metropolis generally.

2664. I think you objected to the unwieldly nature of an aggregate body?—If the whole metropolis was under one united government it would be too unwieldly for all practical purposes; I think it would break to pieces from its own weight.

2665. You mean that each body should be a separate municipality?—A separate municipality for all purposes belonging to that one municipality.

2666. With no general council representing the whole?—Yes; that is a part of the arrangement; I should propose that there should be a federal head, for example, with regard to the main drainage, and probably the control even of some of the leading thoroughfares, these are matters which might come under the management of the central body.

2667. Why does not the objection of bulk and unwieldiness apply equally to that as to Mr. Locke's suggestion; I understand you to object to the Corporation of the City of London being extended to all the metropolis, on account of its unwieldly nature and its bulk?—Just so.

2668. If you unite under some other form these different municipalities, and give them a federal head, does not the same objection apply?—It would not apply; the matters which the federal head would manage are very distinct, such as those managed by the Metropolitan Board; but the local matters would be managed by the local bodies. With regard, for instance, to the smaller portions of the drainage and sewerage, every little by-street is connected with the great arterial drains. Look at the inconvenience and the expense of having to send officers from one central office, whether in the City or in Westminster, all over this immense metropolis, to look after these small matters; I think that is one argument against having all these things under one management. But there are other questions with regard to which I think the federal head would very properly be called upon to exercise authority; there are some serious anomalies existing in London at present. In Manchester, as soon as the Corporation have decided upon a particular lamp-post, that becomes general over the whole town; but here, where we have 39 districts, and there used to be more, they all select their own lamp-posts. I merely take this as an example, but it extends to many and more important things. No one can go through the City of London without seeing that it is very imperfectly lighted, more so than any city in England; many of its main thoroughfares depend more upon private than upon public lamps. In some districts in London, you will find that what is allowed on one side of the street is not allowed on the other; in relation to private lamps, signs, and so on. One district will not permit out-hanging signs, while another will permit them: in these cases, I think general laws might

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be made by the central authority; but with regard to the cleansing, paving, and lighting of the district, those are matters that might remain as they are, in the hands of the separate bodies.

2669. Then I may sum up your evidence by saying, that you think the federal head might deal with certain great general principles of legislation, and the matters of detail might be left to the separate municipalities?—That is what I mean.

2670. *Chairman.*] Have you considered the expediency of having some members of the central power elected direct, and some of them elected by the district Board, having a mixed district Board?—I have not considered that; I think it must be either the one or the other.

2671. Do you think it is desirable that the local Boards should be without a recognised head, as they are now, or that they should have some recognised head?—They ought to have a recognised head, I think, for the general convenience and better conduct of the business.

2672. There is no recognised head at present, is there?—Not in any of the vestries or Boards; there is not even provision for a permanent chairman. We have often found the inconvenience in the Strand District Board; I think there are means adopted by some of the vestries in order to get over that difficulty, and secure the services of a permanent chairman.

2673. Whether a large municipality is set up for Westminster or not, you think it desirable that there should be a better constitution for the district, however large it may be?—I think so, on various grounds; as a measure of economy, and as a stimulus to men of the proper kind to put themselves in pursuit of public objects, and to enable them to discharge public duties.

2674. Do you think that the system of electing people to subordinate offices as a means of entitling them to fill a higher one is a good system, or does it tend to the election of inferior people?—I think, judging from my experience of the provinces, that the prospect of a man becoming some day an alderman, and after that becoming the mayor, has an important influence on his conduct.

2675. Mr. *Mill.*] Might not the mayor be elected by a separate vote, in which case a person might be candidate for the office of mayor as distinct from that of a member of the municipality?—I think there would be objections to that. I think the office ought to be considered, and it is so considered in the country, as a reward for long continued or eminent public services. I think it is better the body over whom the mayor presides should elect him.

2676. *Chairman.*] It is not so in London?—He is elected from the Court of Aldermen by the members of that Court, and afterwards elected by the Livery.

2677. Mr. *Mill.*] Is the mayor in the provinces usually changed from year to year?—The cases are exceptional in which the mayor is reappointed; the office is generally kept open as a reward for men who have served the public. Instances do occur, but they are exceptional, where the mayor is elected a second time. I knew it to occur once during my residence in Nottingham, but it was a special case; it has been once, to my knowledge, the case in Birmingham, and once in Leeds.

2678. *Chairman.*] At Birmingham, was it a tavern keeper who was twice elected?—I think not; in some of the old cities the mayor is more frequently, I think, re-elected.

2679. Mr. *Mill.*] Perhaps it would be more necessary in the case of a general body than in that of a local municipality to have a permanent chairman, as in the case of the Board of Works?—Unquestionably, but the presence of a man in the chair, who is supposed to take an interest in its business, and whose duty it is to preside over the meetings, is very important in all bodies. I do not at all like the notion of men meeting together, and probably expending large sums of money, without one or two gentlemen being looked upon as permanently present, and with a chairman elected only for the evening.

THOMAS HARE, Esq., called in; and Examined:

T. Hare, Esq.

2680. *Chairman.*] I BELIEVE you are a member of the Bar?—I am a member of the Chancery Bar.

2681. You have devoted your attention, I believe, to the question of municipal government of the metropolis?—To the question of representation generally.

2682. Mr. *Mill.*] You are an inspector of charities?—I am an inspector under the Charity Commission.

2683. And in that capacity you have had considerable opportunity of observing the working of local bodies?—I have in many of the provincial cities, and also in London; I have held inquiries connected with the Charity Commission, I think, in every parish in the City of London.

2684. Is there any statement you wish to make, or any opinion you can give about the quality and character of the local government, as it has come within your notice?—It has been only a very special part of the organisation of local government that I have had the opportunity of observing officially; that portion of it which has been administered by the City Companies and by the vestries of the London parishes.

2685. What is your opinion generally, as far as you have observed, of the working of that form of government, and of the qualifications of those who exercise rule under it?—In the long course of years the changes which have taken place in the condition of London and its inhabitants have created great difficulty in following anything like the original directions. The parishes of London have come into possession of vast funds which they have little opportunity of applying except in a very limited and narrow manner, when confined to their present areas of operation.

2686. Lord *John Manners.*] Does your answer apply to the question as to the organisation and practice of the vestries in the metropolis, or to the City of London?—To the City of London proper. But I would say that although these things have led me very much to give attention to that organisation, it is not so much from anything that has arisen out of the special inquiry as to the

the general principles that I have directed my attention.

2687. Mr. *Mill.*] You have paid a great deal of attention to the subject of representation generally, both for national and local purposes?—I have.

2688. You have written several articles or essays on the different branches of the subject?—I may say with regard to the government of London, that in the year 1862, I first published a small work on the "Local Government of London." In 1863 I was the author of an article published in "Macmillan's Magazine" on the "Ideal of a Local Government for the Metropolis." In 1864 I drew a Bill for the organisation of bodies to apply some of the great funds, which are applicable to public and charitable purposes; a voluntary method of organisation amongst charity trustees and others which would in some measure be a substitute for local government. This year at the Social Science Association, I took an opportunity of reading a paper on the subject of the present condition of local government in London, and preparing the rough draft of a bill, which, it appeared to me, would be the basis to a suitable measure for the amendment of that government.

2689. Will you be good enough to state to the Committee an outline of your scheme for the local government of London?—The main features of it are these: the direct election of the principal governing body, to be composed, say of 150 members, of whom 50 members should be directly chosen by the owners of property, and 100 members by the occupiers; the council so to be formed, including all the property and inhabitants of the great metropolitan area, being entitled, "The Lord Mayor and Council of London." The Lord Mayor of the City of London, for the time being, should be the president during his year of office, and there should be a permanent vice-president; say the present chairman of the Board of Works. Eight aldermen of the City of London, at least if not elected, as they probably would be, should be added to the body. Twelve members of the Board of Works should be added for three years, to keep up a continuity between the present board and the future body.

2690. In what manner would you propose that the members should be elected?—The proposal with regard to the election of members is one which forms part of a general scheme of representation, which I may say, in the presence of those gentlemen, who may not have heard of it before, has been the subject of discussion in some of the most ancient free cities of Europe. I have received a paper, within the last few days, stating that there has been an attempt to apply it in the City of Geneva. I have also here a reprint of a discussion which took place for several days, in May 1863, in the great Council at Frankfort. I have also here a Parliamentary Paper of the Legislative Council of Sydney, in which the system now proposed was adopted by a select committee for the election of that body in Sydney. It was read a second time in the Lower House, and was afterwards abandoned on a change of ministry. I mention this, to show that I am not bringing before you that which has not received the attention of minds in other countries that have addressed themselves to this subject.

2691. Will you be so good as to state the mode of voting which you recommend?—In the metropolitan election you have no list of voters. The elections are conducted by the attendance of the rate collectors to verify the persons. The first thing I propose would be the formation of a list of voters, as is done in all the provincial cities. I suppose that the unit, if I may so speak, would be the collectorate of taxes. The smallest district would be that within the compass of one individual, whose business it would be to attend to the district for the collection of taxes. I have drawn a form of a registry of voters, supposing it to be formed first by the collector of taxes in his collectorate, giving successively the numbers of the houses; then the value, then the occupiers or tenants, those who should be registered as occupiers; and then, by another process, to obtain the names of the ground landlords and the owners of sub-interests. I have two lists, one list of occupiers, and one list of tenants. I propose that there should be an alphabetical list in each parish of the occupying class, and an alphabetical list of voters of the class of owners. The election should then be by equal quotients. For instance, if the proprietary voters were owners of 5,000,000 *l.* of annual property, and there were 50 members to be elected; that would give for each 100,000 *l.* a year, one member. If a proprietor had 50,000 *l.* a year, of course his vote would go for 50,000 *l.* If he had 1,000 *l.* or 500 *l.* it would go for that. Each proprietor sending in his voting paper should state, first, the name of the candidate whom he chiefly desires, and then the one whom he secondly prefers, and so on; then dividing the number of persons who actually vote by 50, we should have the exact quotient of votes. When any candidate has votes to the extent of 100,000 *l.* he would cease to acquire any more votes. The first vote would then be taken off the subsequent papers and given to the second name. The same process would be applied to occupying voters; dividing by the hundred, if that were the number of members to be elected, the number of voters; so that if 100,000 persons voted, 1,000 would elect a member. That would obviate the smallest possible power of swamping any degree of thought, or feeling, or energy which existed. You would give to each individual the entire exercise of his own discretion, uncontrolled by those about him.

2692. In fact, you would allow any 1,000 voters, supposing 1,000 to be the number entitled to a member on a comparison of the number of members with the number of voters; supposing 1,000 to be the quotient, you would give to any 1,000 voters who could agree the power of returning any member?—Yes.

2693. So that no portion of the electors equal to or above 1,000, would be unrepresented?—No person would be unrepresented. It appears to me that you would bring all the desire for public improvement, all the energy, all the philanthropy that existed in a city, or in the metropolis, and give to it the power of organisation, so that each should have its exponent in the consultative body.

2694. *Chairman.*] Do you associate philanthropy with property?—I have two classes of electors; the first are those who vote without reference to their numbers; 50 members are returned directly by the owners of property.

2695. I did not see from what you drew the elements of philanthropy and virtue?—From the possible existence of those qualities in society; if

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if we found that there were in the West-end, in St. George's, Hanover-square, in the Tower Hamlets, or other places, a number of energetic men, as I have no doubt we should find, who were anxious to promote the social benefit of those about them, they would have the opportunity, wherever they resided, of fixing upon that person whom they might think best qualified to carry into effect those objects of improvement.

2696. Without the fear of being swamped in their own district, because they could combine from all districts?—Yes; we find that the best elements of charity or public spirit in men are repressed by the *vis inertiæ*, or indifference of those about them, but when they feel that they have this power of organisation, so that they can place in the governing body the men who are their own types of excellence, it appears to me that you do give the best stimulus you can to call into action the efforts of society; I cannot fancy any greater stimulus than that of knowing that if I have a vote to give I can give it with the greatest certainty and effect, and the greatest scope of choice.

2697. Nobody's vote would be lost unless it formed part of a smaller minority than 1,000?—That is so.

2698. Lord John *Manners.*] Do we understand that you would put an end to all local ties?—I leave the localities to take care of themselves; I leave the City government entirely untouched; I am speaking now of the general body, leaving the City as it is, and giving the Lord Mayor the pre-eminence of the chief corporation; the owners of property in the City, forming a very large portion indeed of the property in the whole metropolis, and a very valuable portion, will be perfectly certain that if they please they can send representatives of the City according to the amount of their property; I leave the choice entirely to the individual; they will choose those whom they think will most perfectly represent them locally or most beneficially represent them in the general body; I do not prescribe it; I leave it to their own choice.

2699. Mr. *Mill.*] Whatever local feeling existed in the minds of the local people would be fully represented?—Yes.

2700. *Chairman.*] In what way?—By the certainty that they would choose local persons; if you have property in Cornhill, and if you think it important that another proprietor or person similarly situated to yourself should be elected, he would be the candidate that you would choose; if you had offices in the City, you might vote for the person that you thought would be best representative of the City; the voters would be the best judges.

2701. You mean that each district might, if it pleased, group its votes round one person?—In the various districts or wards, the election would be local, and the votes would be most likely grouped round the candidates for those wards, but if the voters had wider views and did not think that the candidates for their wards were the persons they would most desire to see elected, they would give their votes for some candidate for other wards. If I thought the candidate for my ward in Cornhill was not the man I should like to elect, I might give my vote to the candidate of St. George's, Hanover-square, or if he did not want my vote, to the candidate for the Strand, or if he did not want my vote, to the candidate for Southwark.

2702. So that a district might find itself without a representative, while some society in Exeter Hall might find a representative?—The district would not find itself without a representative, unless the voters of the district had neglected to do what they had the opportunity of doing. I see that in Geneva they have suggested two or three plans for supplying a possible difficulty in case it should arise. If the body should fall short of the member required, power is given to the Grand Council to supply the vacant places, and make up the member.

2703. That is, the elected would themselves fill up their own number?—Yes, suppose a Grand Council of 100 is to be elected. It is assumed that some of the 15,000 voters will be absent from the city; and they say, "We will put up the number of the quotient at 100." Taking the number actually voting to be only 9,000 they could elect only 90 members out of the 100 and 10 would remain; each 10 of the 90 elected would then add one, and make up the entire number.

2704. Mr. *Mill.*] As every locality has strong reasons for wishing to be locally represented, the majorities would usually elect local candidates, while minorities who could not carry the local candidate whom they preferred would probably vote for some candidate on general grounds?—I cannot doubt that that would be so. I cannot doubt that each locality would elect those who were thought most desirable for the locality. It is not, however, the houses that are to be taken care of, but the people, and it may be left to their discretion. I do not suppose that the people would be indifferent about the matter. That appears to me to be a visionary apprehension.

2705. If the people preferred to elect an eminent man for general reasons, at the sacrifice of local interest, you think they ought to be allowed to do so?—Surely that ought not to be prevented.

2706. *Chairman.*] The effect would be that a combination of minorities in districts would defeat the election of majorities?—A majority would never be defeated.

2707. Unless the majority amounted to a quota of election, the minority, by combining with another minority in another district, would be able to make up the quota, and thereby prevent the local candidate from being elected?—Two majorities would have greater power than two minorities.

2708. If the majority in each district did not constitute a quota, each district could not elect a local member; do you lay it down as a basis that the district must be more than twice the quota, so that the majority of a district could elect a member?—To enable majorities to concentrate their votes the election might extend over three days, say, Monday, Wednesday, and Friday. A publication of the result of the election and quotas on Monday should be made on Tuesday, so that those who had not voted would see who had made up their quotas, or who approached their quotas, and would be able to add their votes as they thought fit. The publication of the results on Wednesday should be made on Thursday, so that as the election went on public attention would be called to it, the progress of the election would be seen, and each individual would have the opportunity of bringing into action whatever sympathies or feelings or desires he might have for the proper representation of his locality.

2709. Then

2709. Then there would be no district election at all; every elector would be a single unit for the whole metropolis?—I should propose that there should be candidates for each district, and that those who are elected by the greatest number in a district should be the representatives of the district. Suppose that in the Strand district, for instance, there are 2,000 electors, and that 500 vote for A., 400 for B., 300 for C., and so on. Those gentlemen, having the quota, whatever it may be, or next to the quota, and having the greatest number in the Strand district, will be representatives of the Strand district.

2710. In your basis, would you form a district with a certain number of electors, or would you have no districts at all, but one general election, so that every person in the metropolis would be a single unit of election?—There being apparently so much difference of opinion as to whether the present districts should be continued, or whether new municipalities should be formed, I have not touched any of those questions; but whatever subdivisions you may determine upon, I should adopt them as the electoral districts.

2711. Having fixed upon an electoral district, you would then have a number of electors in that district?—I should have a list of voters in that district; voters who are owners of property, and occupying voters.

2712. And you would have candidates proposed in that district, in the first instance, for election?—Yes.

2713. And the result of the local election you would have published from day to day?—The result of the combined election. I think, in a great city like the metropolis, it would be of great importance to have a central office, say, the office of the registrar of municipal electors. Now, it is the duty of persons in the vestries to appoint inspectors of votes, and so on, but if you had one registrar of municipal electors he could decide all questions as to the right of voting, and give directions with regard to the notice and the publication of the results, the auditing of the expenses of election, and so on. The same officer could also furnish an annual report of the general results, the number of persons voting, the numbers who had succeeded, and the numbers who had failed, and the numbers who had not voted at all. It seems to me that an office of this kind would be as important with regard to the representative and corporate life of the country as any statistics that you have with regard to health or commerce.

2714. There would be a local district and local candidates, with a certain number of electors; would it be necessary that that body of electors should be equal to the quota of electors which would be assigned as sufficient to elect a representative?—It may be a fragment of a quota; a small portion. Suppose, for instance, the quota were 1,000 persons, and that a ward only contained 200, it could not, of course, return a member for itself, but it could give 200 votes for some man nearest to it, and most fitted to represent it.

2715. It could hardly be said to have the liberty of proposing a candidate, if it had not the liberty of electing him?—Take the case of Ayr. A man who is a candidate for Ayr cannot get in unless he gets votes from Campbeltown.

2716. Is he a candidate for Ayr, or for the boroughs?—If he is a candidate for Ayr, he must be elected also for Campbeltown, Irvine, &c.

2717. Is he not a candidate for all the boroughs?—Certainly.

2718. In your case, a man would not be a candidate for a single district, but for a group of districts?—Certainly, as he is now a candidate for a group of districts in the boroughs.

2719. Mr. *Mill.*] That is, if a district were too small to be entitled to a Member for itself?—Necessarily.

2720. *Chairman.*] What would be the basis of a group of districts; would it be necessary that it must have at least twice as much as a quota of votes to enable it to elect a Member?—That would be so, if your group were an arbitrary group; but mine is a voluntary group.

2721. Mr. *Mill.*] Anyone might declare himself a candidate for all the groups, if he liked?—Yes.

2722. And he would be the Member for those which chose to elect him?—Yes, if there was a quota of votes; he may be a candidate for Ayr and also for Glasgow.

2723. *Chairman.*] Let me ask you, how you are to arrange any system of local representation; whether there would be a district with such a quota as that a majority would amount to that quota; if not, how could there be a local representative elected?—If one ward in the City of London were electing its representative, and that ward only had 100 inhabitants, the required quota being 1,000, if 50 persons voted for one candidate, say, the candidate for Finsbury, or any other district, and 30 voted for some other, the person who received the 50 votes would be the member for that ward.

2724. Mr. *Mill.*] That is, if he got a quota by means of other votes?—Yes. It is perfectly simple; the person having the greatest number of votes in each district, having the quota made up elsewhere, would be the representative of that district.

2725. *Chairman.*] I wish to know how that can be reconciled with local representation; whether it does not resolve itself into a general election for the whole metropolis, each voter being a unit?—At present a man is not less the representative of a locality, whatever it may be, because he has not an absolute majority in that locality, or an absolute majority of those who vote if he stands highest on the poll; according to this plan, he would be the representative, if he had a comparative majority, if he succeeds in obtaining the required number that alone can elect a representative. If, besides that, he gets more than any other in the locality, he is the member for that locality, having had the greatest number of voters there.

2726. Mr. *Mill.*] The question is, what is there to induce or to enable the electors to elect a person to look after their local interests especially; I apprehend there can be no other resource than the wish in the minds of the electors to do so; and you probably place your reliance upon that?—Yes; if the inhabitants of any locality wish to be represented by any individual of special character or qualifications, if that person has more votes than any other, he becomes their representative, because they have shown a greater appreciation of him than of any other person.

2727. Is not that rather a question of how you would apportion the representatives to the different districts; the Chairman seemed to think it

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possible or probable, under your system, that it there might be no representatives, or very few, of the local interests, inasmuch as everybody might elect on grounds of a general nature, having nothing to do with the localities; no doubt you might even then apportion them to localities, but that would not make them representatives of the local interests?—No; if at present there were in any locality a population so utterly indifferent to the business of the locality that they would elect anybody to govern them, it seems to me that the difficulty would arise now; you are supposing a state of things which would equally apply to our existing system.

2728. Only that they are obliged now to elect somebody, by however few votes, and this somebody will naturally be a local person; whereas under your system there would be an opening by which inhabitants of the locality might elect a total stranger if they liked; they can do it now, but it would be extremely unlikely; under your system it would be much more likely?—It seems to me that with adequate notices of what was going on during the process of the elections you are supposing a degree of public stagnation that one could hardly expect when it is remembered that the voters in any place can elect their own local candidate, every vote being almost certain to have its result.

2729. *Chairman.*] Unless there was a local candidate, and a local body of electors to sustain an election within the district, how could you have a local election?—Take as an illustration, the Strand district; all the occupiers of that district, if they voted at all, would have to attend at the particular place in the Strand, and give their votes. I propose that the occupiers should give their votes only in that place. At the present moment those who go to the vestry may elect anybody, or the candidates might be elected perhaps by the beadle.

2730. A district would have to be so large, that a majority would be a quota for the purpose of election?—I do not see the necessity of that.

2731. If there were not a quota for the purpose of election, how could they elect?—I have proposed (and that is why I brought in the idea of a central office) to bring in at the end of Monday all the votes given for the entire portion of the metropolis; then the votes given in the smaller districts would be brought and added; the votes given to the same candidates elsewhere, and the total result would be arrived at the next day.

2732. A local majority must be sufficient to elect a local candidate; if not, there could not be a local election?—If the numbers of voters are insufficient, the local majority cannot be sufficient.

2733. Then there would be no local election?—The local election would be the fact that the larger number of persons there had added their votes to some other small district or large district, and made up the quota of the candidate for that district.

2734. Then it would cease to be local?—I do not see why it ceases to be local.

2735. Because it is not conducted within the locality. If there be no quota within the locality competent to elect a member, it cannot be a local election?—It would be just the same as the case of the member for Ayr at this moment.

2736. Ayr is only a portion of a locality, the majority within the locality that elects the member can elect him?—Yes; of course if districts be so small that they cannot of themselves elect a representative they must voluntarily or otherwise group themselves with some other places.

2737. That merely shifts the ground, because if you group two districts they become one district for the purpose of election; so that you do not alter the circumstances?—I confess I do not see this difficulty.

2738. I merely want to see the principle upon which you start; whether you start upon the principle of having local representation, or whether you propose a general representation for the whole of the metropolis?—I certainly intend to give, as it seems to me, to each locality an entire choice of making their representation a general or a local one; if a locality be so small that it can only obtain a representative by uniting with another locality, still it seems to me when they have done so their representation becomes a local one.

2739. If that be so, the minority in a district can combine with the minority in another district practically to defeat the majority in the district itself?—They can combine for the purpose of successfully electing their own representative; but there are none whom they can defeat.

2740. Must not your own system resolve itself into this: that in each district there must be a majority sufficient to constitute an electoral body, and when that has voted for its candidate the minority which is defeated transfers its vote to somebody else, and combines with other minorities to elect a representative?—It may be so stated.

2741. Mr. *Mill.*] And the majority, if it do not amount to a quota, might hope to be reinforced by voters from elsewhere, and so get its member?—Yes; the sole object is this: to give to each individual the power of using his best and most conscientious judgment in the act of exercising his suffrage.

2742. *Chairman.*] Your belief being that, if he is allowed to have a vote, being defeated in his own district, he will vote for some exceedingly good person?—I think there is every reason to suppose so. You give him at any rate the best encouragement to do it.

2743. You do not think that there is precisely as much reason why he should vote for an exceedingly bad person?—If that be his disposition, I am afraid that the facilities for doing so at present are not at all less.

2744. Mr. *Mill.*] Do you not think that the majority would have an inducement to bring forward as good a candidate as they could, in order that they might have a chance of being reinforced by votes from other districts?—That would be one object. In all cases those who put forward a candidate would desire that he should be a man having the greatest personal recommendations, in order that he might attract the votes of others.

2745. *Chairman.*] Is it not rather the fact in society, that where there is not the competition of a successful majority and a defeated minority, persons of an extremely unsatisfactory character go about and would go about, and collect a sufficient number of suffrages to constitute the quota, and that so far from the best persons being elected the worst would be?—I do not know an example of that sort.

2746. Lord *John Manners.*] You have referred to

to several instances in which your scheme, as I understand it, has been canvassed?—Yes.

2747. I do not think you told the Committee any instances in which it has been adopted?—The majorities have never been willing to denude themselves of their power.

2748. Can you give any instance in history, in which your scheme has been tested by experience?—I believe it has never been known in history.

2749. Then, taking what you say with great respect, it is purely an assumption that the result which you contemplate would follow from your scheme; the assumptions are not based upon experience?—They cannot be based upon experience which has not existed. The assumption is this, that if you give to all thought, and judgment, and conscience and feeling, their full power and development, uncontrolled by circumstances which now prevent individuals from exercising their electoral powers according to their opinions, the best efforts of which the individual character is capable will be brought out.

2750. In what way are people at this moment prevented from giving their votes as they think best?—They are prevented in this way. Take my own case: I have only in a few instances in my life had the opportunity of voting for persons whom I thought really deserving of support, or exercising a choice which appeared to me of the smallest degree of importance. If I could look through a list of candidates, and select those whose character and talents I considered would make them most desirable representatives, I can conceive of no exercise of social duty which would be more interesting than that.

2751. Mr. *Mill.*] The voter is now restricted in his choice to two or three, no one of whom may suit him, but under your system he could choose from the whole community?—He is now at the mercy of a few individuals, whose nominees he must vote for or have his vote thrown away.

2752. Lord *John Manners.*] Will you tell us who is to prepare the large list of candidates of which you speak. How is it to be brought before the electors?—As I said just now, in reply to the Chairman, it seems to me that in London you should have a general register of municipal electors.

2753. You mean for the metropolis?—For the whole metropolitan area.

2754. As you have it in the City of London now?—Yes; the business of that office should be to determine, as the mayors of provincial towns now do, all claims to be put on the list of voters, subject to appeal, as the decisions of the revising barristers now are, to secure the proper preparation of the register of voters, on a uniform plan, in each division or subdivision of the metropolis; to settle the times and forms of notices, to be given at all municipal elections, whether of councillors, guardians, vestrymen or otherwise; to provide for the conduct of all such elections, and the publication of the result; to audit and certify the amount of the expense which has been properly incurred in every case; to report annually to the metropolitan council or to Parliament the numbers which have voted and by whom the municipal bodies have been elected, the number of votes which has been given for candidates not elected, and the number of those on the register who have not voted; the same body to cause to be printed and distributed to all voters a list of the candidates, both for the local bodies, if you have local bodies, and for the general council; this list of candidates, coming from the central office, to be sent by post to every elector on the register.

2755. Lord *John Manners.*] How is the central body to arrive at the list of candidates?—One rule would be that candidates should send in their names at a certain period; they are now published, I think, three weeks before the election. The names should be sent in both to the central office and to the locality for which they are candidates.

2756. Therefore it would be left to individuals to announce their candidature in the first instance to the proper authority, and secondly, through him, to the body whom they wish to represent?—Yes, to both; to the central authority, and through that to the body whom they would represent.

2757. The change would simply be, that a gentleman would propose himself, instead of being proposed by somebody else?—That might be so; due notice should be given of his candidature.

2758. Mr. *Tite.*] I may vote for a man in Tooley-street, or a man in Chelsea?—Yes; I mentioned before, that part of the plan was, that there should be direct votes for owners of property. I propose that these should be sent, not to the local, but to the central office, where the votes and the quotas should be made up. I suggest different classes of ownership; first of all, the old City companies, which are very large proprietors, would vote as owners of property, according to the amount which they possessed; all the incorporated joint stock and other companies, such as banks and insurance companies, would vote according to the property which they have; the Ecclesiastical Commissioners, who have a great deal of property in London, would vote according to the value of their property.

2759. Lord *John Manners.*] When you refer to companies, do you value the office in which they reside, or their capital?—Only their rateable property in the locality.

2760. Mr. *Locke.*] Who do you expect would exercise the vote?—The court of assistants in the City Companies.

2761. Suppose they differed?—They would vote by their corporate officer, under their corporate seal, just as they would do any other act. They would not vote individually.

2762. Then they would have to decide amongst themselves?—Yes; and I look upon bodies like the City companies, and other public bodies, as being extremely valuable portions of the electoral body. I think a set of men like the courts of assistants would be likely to choose a good representative.

2763. How many votes would you give them?—According to the value of the property. If 50 millions of property were represented, and 50 members were elected, 100,000 *l.* would return one representative. If any person or corporation had 20,000 *l.* a year, that would return one-fifth, and so on in proportion.

2764. *Chairman.*] Have you observed in elections in the metropolis, and generally in England, there is a good deal of a passive character about them, namely, by people acquiescing in what others are doing; and would not your system compel every person to be an active elector, and

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to vote?—It would put an end to the passive character of which you speak, and in all cases would make it an active effort.

2765. Why should society be worried in that way?—If the business of election be a social duty, the function should be performed.

2766. At present they see that a candidate is proposed, and that he is likely to be elected, and that it is not necessary for them to take any more trouble about it, but by your plan nobody could get elected in that way, because the quota of votes would not be given, and unless everybody turned out to participate in the election, to the last man, all the passive element of society would be over-borne?—That supposes that I insist upon an absolute quota of voters. The quota is only a quota of those who vote, not of those who are on the register.

2767. You would not have an absolute quota giving the right of election, but you would take the numbers voting, and by a rule of three sum arrive at the ratio based upon the original quota?—Yes.

2768. Mr. *Mill.*] You would divide, after the election, the total number of votes given by the number of members?—Yes.

2769. *Chairman.*] Supposing the absolute quota were a thousand, and it turned out from the passive condition of society that only a half the number of people voted, or a quarter, then would it not result that an active, busy person, going about and getting up only 250 votes, which he might easily get, would be elected, much to the surprise and indignation of the whole community?—I do not know of any recipe by which activity will not overcome indolence; I suggested just now that the votes for a place like London should be taken three successive days, that the votes on Monday should be published on Tuesday, so that the people might see what has been done, and what active, busy people are doing.

2770. Then we come back to the fact that, for the protection of society, everybody is compelled to vote, and if everybody does not bestir himself to vote, those active busy people, who may go about without any real pretension, do not even want an absolute quota, but may be elected by a small insignificant number of persons; just as in examinations, where the relative standard is low, very inferior people are elected as the result of competition?—I am afraid that it is very much the case with the elections at present; I suppose it is only those who are active, and who put themselves prominently forward, that really do succeed in electing others or getting elected themselves. My object is to bring to bear the best thought and judgment on the inert forces of society.

2771. Is not an inert state of society very convenient? why should it be converted into an active contention when nobody wants it?—A great many things seem to be wanted; in places like London there are a vast number of social improvements that want to be carried out, and the activity of society requires to be called forth, it seems to me, in order to accomplish them.

2772. Mr. *Locke.*] Must it not depend, after all, upon who are the people who put themselves forward as candidates?—I cannot suggest that anybody would be elected, per force, contrary to his will.

2773. Do you think that if this plan were adopted, persons would be more desirous of becoming vestrymen than they are now?—I am not speaking of vestrymen but of members of the Municipal Council of the metropolis.

2774. You think they would be more desirous? I think they would; instead of appealing to majorities, they would be sure that, if from their character and position of life, there was a certain number of persons who sympathised with them, they would have their support, and that support would be enough.

2775. Do you propose that people should vote in the ordinary way, as they do now in the vestries?—It would be by papers; I have prepared a form of voting paper.

2776. Is that to be delivered by the voter, or is it to be collected?—I have left that as a matter for consideration; perhaps in the municipal election, it may be desirable that it should be collected.

2777. You say that it is not to be a local election, but all to be in one place?—The votes of property voters are to be sent by post to one office; but those of the occupying voters are to be delivered in their parish or district, wherever it may be, at their own polling places.

2778. And then to be taken to a central office?—The computation would be made in the local office, and at the central office subsequently.

2779. And when you have elected a member, what is he to represent; what would you call him?—The representative of the district which elects him.

2780. Suppose he does not like that; a man may say, "I will become a candidate, because I want to represent a particular locality—my own neighbourhood;" and then all of a sudden a number of persons rush in and vote for him, and appropriate him in another place?—He would be the member for that locality in which he has more votes than any other person.

2781. Then he would resign?—Of course he might do that.

2782. He might say, "I never bargained to represent you; your interests are diametrically opposed to those of the locality I wish to represent"?—I think the case of a man being a candidate for one place, and being elected for another, and then resigning from such indignation, is a very imaginary one.

2783. Mr. *Tite.*] Is the election proposed to take place every year?—Annually.

2784. And it is to last three days?—It is suggested to last three days.

2785. Then you do not think that what we have been doing lately to diminish the number of days occupied in elections is an advantage?—I do not think it an advantage in this case.

2786. Why not; it is an advantage, is it not, in many large districts?—It is an advantage from many other causes.

2787. You do not apprehend bribery in these cases?—I do not apprehend bribery.

2788. Lord *John Manners.*] Are the occupying votes to be given by voting papers?—Yes; I have prepared a form of voting paper for both class of votes.

2789. *Chairman.*] Have you observed in any elections in this country that the suggestion of names of persons of supposed pre-eminence has ever led to their being elected in the manner you indicate?—We have had some late examples of the election of persons of eminence when there

was the opportunity of doing it; and I have no doubt those cases would occur much more frequently if the opportunity were more common.

2790. Your plan proceeded upon the suggestion that by the mere proposal of pre-eminent names, the electors would group themselves about those names and elect them; do you know any instance in the elections of this country in which such a thing has occurred, and such persons have been elected apart from other considerations?—Not from the mere names, apart from other considerations; with the name has been coupled great eminence and great social respect.

2791. Have there not always been conditions materially affecting the actual transactions of a local character?—I do not think so; take the case of Mr. Gladstone; I suppose he was elected by South Lancashire from his great reputation.

2792. You do not suppose that he was elected from his great name apart from other important considerations of party and other matters of that kind?—I am unable, of course, to regard it as wholly separate from considerations of party. (*The Witness delivered in the following forms.*—Vide *Appendix.*)

Monday, 28th May 1866.

PRESENT:

Mr. Ayrton.	Lord John Manners.
Mr. Kekewich.	Sir Matthew White Ridley.
Mr. Locke.	Mr. Sandford.
Mr. Alderman Lawrence.	Mr. Tite.
Mr. Mill.	

ACTON SMEE AYRTON, Esq., IN THE CHAIR.

THOMAS HARE, Esq., called in; and further Examined.

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2793. Mr. *Mill.*] You said that your system had been taken into consideration at Frankfort and Geneva, but had not been adopted there; I believe it has been adopted in one country?—In alluding to the absence of historical precedent in my last examination, I omitted to refer to a case of very modern history. I have here the report of Mr. Lytton, Her Majesty's Secretary of Legation at Copenhagen (one of those reports annually made to the Foreign Office), in which he sets out the adoption of the system in its perfect form in the election of representatives for the Rigsdag in Denmark. He states that it has been adopted with great success. He says: "I may also mention that I have been assured by Mr. Andræ, that, in his opinion, the general standard of representative character supplied by this law is the best and highest in the country; and that although he does not consider that a sufficient time has yet elapsed whereby to test the effects of the law upon the constituencies themselves, he is nevertheless of opinion that, under its operation, the character of the voter as a class has improved and is improving."

2794. Are you aware whether this law is still in operation; a change of circumstances has possibly put an end to the Rigsdag altogether?—I have not had the opportunity of learning what has been the fact; I think the Rigsdag was an assembly which met once in two years.

2795. I believe it was for Denmark and Schleswig combined; the constitution of the Rigsdag, which is the Representative Assembly of Denmark only, of course remains as it was, and the system had not been adopted there; it was in framing the constitution for the United Principality that it was adopted?—It was adopted for the United Principality, and under great disadvantages, inasmuch as throughout the whole of that time the struggle between Denmark and the Duchies was going on, and the system was repudiated in the Duchies, as any connection with Denmark was in a great measure repudiated.

2796. You proposed the other day that the election of members of the governing bodies should be extended to two or three days. I am not aware that this is suggested in any of your printed writings?—I had adopted that from an amendment proposed by the Reform Association of Geneva. It appeared to them that if there were any danger of public attention not being sufficiently attracted to the election, so that it might fall into a few hands, that would be corrected by extending it over two or three days, and reporting at the end of the first day the result, when public attention would be called to it, so that any absence of attention on the first day would be corrected on the second.

2797. Any intrigue might be frustrated?—Any intrigue might be frustrated if notice were given of it in that form; and the system does not seem open to the objection of Parliamentary elections extending over several days.

2798. You propose that the whole of the municipal voters for the metropolis, to whatever place they belonged, should be able to vote for any candidate who had started for any part of the metropolis; is that an essential part of your plan, or might votes be confined to separate boroughs?—It is by no means essential. I preferred to introduce it in that form, because it seemed to me that the widest scope you could give to individual thought the better it would be for the result of the election. If the Committee thought proper to recommend that the metropolis should be divided into boroughs, the vote of each inhabitant of each borough might be confined to that borough; or whatever division might be adopted, it might, in like manner, be confined to that division.

2799. You said that on your plan candidates would propose themselves, instead of being proposed by others, as they are now; is that an essential part of your plan?—I was asked whether members would not propose themselves. That is by no means essential. Indeed, I suppose it would not be so. The proposal would be made in writing, instead of being made, as now, at the vestry; it may be made in writing, signed by two electors. There is no reason why the individual should propose himself any more than candidates for Parliament.

2800. It has been made a criticism on your system that it would require active steps to be taken in many cases, in which a passive operation suffices under the present system. What is really the difference between the present system and yours in that respect?—In the elections in London, at present, I believe notice is given by being affixed to the doors of places of worship, and in no other way. The time of the election is fixed, and those persons who may happen to know it, and who have particular objects in the election of certain persons, would attend at the vestry at that time. There may happen to be very few persons attending, and the election may be carried by an extremely small number, and very often, I dare say, it is so. The meeting

may

may be composed of publicans and others who have special objects to attain. By the system I would propose, a voting paper and a list of all the candidates would be left at the house of each voter, or be made accessible to each voter, so that he might know who the candidates are; and in his voting paper he would be able to extract the name of those candidates by whom he would desire to be represented.

2801. Voting papers and lists of candidates might be circulated among the voters, independently of your system?—It might.

2802. These things are not peculiar to your system?—No.

2803. But what you rely upon, I apprehend, is the greater interest that would be excited in the election, by the greater latitude of choice given to the electors, when not confined to the small number that might be put up by parties or sections?—Yes. It seems to me with reference to the question put by the Chairman, why the public should be so much burdened with these elections, that that is really the very essence of self-government. If the Government is to be not by the Minister or the Sovereign, but by the people themselves, it necessarily, as it seems to me, involves thought. I do not know how local government, or self-government, can be carried on without thought. Unless you direct attention to those who are to officiate as the governing body, and those who are to supply the place of others who are constantly leaving it, it seems to me self-government cannot go on. It is the very essence of individual action.

2804. You think it a great recommendation of a system of election that it calls out the active faculties, and excites a keen interest among the electors?—That is exactly what I thought; it seemed to me that the question with regard to local government before the Committee was, by what means the best thought of the community could be brought to bear for the purpose of effectuating that local government.

2805. Would your plan be calculated to diminish the objection which it is supposed might be entertained to having a municipality for the whole of the metropolis, on the ground of the great power such a body would possess?—It seems to me that that would be one very material thing; it has been said that Her Majesty's Government would be unwilling to have a great corporate body of so powerful a character so near the seat of Government. We know that the influence of London, throughout history, has been very considerable in the business of the country; and the objection might hold good if the metropolitan council represented the overwhelming weight of great numbers only, and the minority was for the most part extinguished; but when you have a representative body in which no thought, no property, no influence, no social force is excluded, which is balanced, as that would be balanced, the Government might very well rely upon its action; instead of being a source of danger it would be a source of real strength, and the Government might fall back upon it as a great community, strong in embodying all the interests and sentiments of society.

2806. I believe you consider one of the recommendations of your plan to be, that persons of great eminence, both socially and mentally, would be disposed to seek municipal distinctions?—It seems to me to be so. The mode of obtaining municipal position being so entirely altered, and made to depend so much on the character and position of the individual, and there being a provision by which great proprietors and persons having a material interest in the metropolis could act together in bringing persons in, it seems to me that you would have a body of some distinction, to which some of the best members of the community might well be proud to belong.

2807. Persons who are well known to a considerable number of voters would not be in danger of being excluded because they were not known to the majority?—Exactly.

2808. That is your idea?—That is the idea which has animated me in bringing these proposals before the Committee.

2809. Would there not be a difficulty in inducing persons of social importance to take municipal offices, in consequence of their not being usually resident in London during the whole year?—It seems to me that the business of a great city like London need not require more constant attention than the business of the nation at large, and that the same suspension of its sittings, leaving the business to proper officers, might take place as takes place with regard to Parliament. All great measures of importance, except purely administrative matters, might be confined to that period during which the great portion of the intellect of the country is in London. I can see no reason why there should be constant sittings.

2810. You think that the executive functionaries of this body might be permanent, and that the deliberative and controlling body might hold intermittent sittings?—It has occurred to me that that would be a very convenient system, and a perfectly feasible one.

2811. In regard to the votes which in your system for the metropolis would be allotted to property, what would be, in your plan, the qualification of the voter?—I have mentioned amongst other things with regard to property, that there are not only very great proprietors like the Marquis of Westminster, the Duke of Bedford, and others, but also great corporate bodies, great city companies, having very extensive property. Supposing the owners of property amounting to 5,000,000 *l.* a year voted and elected 50 Members, that is one-third of the entire body, the owners of 100,000 *l.* would be a quotient, which would always return one Member. I may mention that there is a large amount of ecclesiastical property for which the Ecclesiastical Commissioners, the deans and chapters, rectors, and others might vote. There is also a large portion of charity property in the metropolis; I am almost afraid to say how much; I have been led to think that nearly one-fourth of the metropolitan area belongs to charities. I can go through miles of the crowded parts of London composed entirely of charity property. There is an immense deal of property of that description, partly educational, partly eleemosynary. With regard to the educational portion, amounting suppose to 100,000 *l.* a year or more, the votes could be given by the Committee of the Privy Council, the President or Vice-President. With regard to the eleemosynary portion, the votes might be given by the Poor Law Commissioners or the Charity Commissioners. And with regard to the medical portion (the great hospitals), the votes might be given by the President of the College of Physicians, and the President of the College of Surgeons; so that by the aid of all this professional knowledge you would bring in persons who would be most likely to possess the best information on all the great subjects which would have to be dealt with.

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2812. And you would give that class of votes in proportion to the amount of property?—Exactly, in proportion to the property; so that a quotient of 100,000 *l.* a year might be made up, say of 50,000 *l.*, 5,000 *l.*, 1,000 *l.*, and so on, until the amount was completed.

2813. The return would state, that so many thousand pounds a year voted in favour of each candidate?—Exactly, avoiding all that arbitrary distribution which is adopted in the election of guardians, where a man who is rated under 50 *l.* a year has one vote, under 100 *l.* two votes, and so on, up to six votes. On this plan the weight of the vote will be exactly according to the value of the property, not interfering in any respect with the occupying votes which are given on other grounds.

2814. What is the proportion of the municipal body which you would wish to have elected on this plan?—I suggested in my former examination that, if there were 150 members, 50 might be elected by property and 100 as occupiers; one-third by property and two-thirds by occupiers.

2815. In the case of occupiers, would you propose a qualification, or allow all occupiers to vote?—I think the Parliamentary qualification might be adopted. I see no reason why the Parliamentary qualification should not be the municipal qualification.

2816. It has sometimes been thought that a lower qualification may be admitted for municipal government than for national government?—I should like to have the municipal suffrage of the occupiers as low as possible; preserving in all cases the rule that the voter shall be registered.

2817. Would you give plurality of votes in the case of occupiers?—No, only single votes.

2818. You only take the amount of property into consideration in the votes allotted to property?—Exactly.

2819. Have you formed any opinion what the qualification should be, or if any qualification should be fixed by law, for the persons elected?—Upon that I am anxious to say a few words. I observed, in the examination of one gentleman, that he was anxious to alter somewhat the qualification that now exists, but it seems to me that no qualification should be prescribed of the persons elected, but that you should leave it as it is in the House of Commons at the present time. A few years ago there was a property qualification imposed there, but, with the almost universal consent of the House, it was put an end to. In the choice of the individual, who is to form one of the governing body, it seems to me, when you have decided by your distribution what shall be a sufficient constituent body, you may safely trust that constituent body to judge whether the individual possesses sufficient qualifications or not. I think it is an arbitrary and entirely unnecessary thing on the part of the law to impose a qualification upon the elected individual. I think it ought to be left entirely to the electors.

2820. When you have a proper constituency, or the best constituency possible, you would trust it?—Yes; it seems to me, that to impose a qualification is only an obstructive proceeding. We might find merchants in London who have ceased to possess a qualification in London, but are very much interested in the City from old associations, who live quite beyond its boundaries, and yet may have much leisure, and be very desirous of attending to public business, who would be entirely disqualified by some artificial rating clause, which you might impose. I would earnestly impress that as a very important thing, that the qualification of the elected person should be entirely abolished, and left altogether to the electors.

2821. Supposing that better municipal bodies were obtained in this way than hitherto, you would probably consider that one of the advantages of that would be that the municipal bodies would be fit to undertake classes of duties that have not hitherto been entrusted to them?—Yes; I consider that a matter of extreme importance in regard to all local bodies, not only in London but elsewhere. We know that gas companies and water companies have been very much under consideration of late. It seems to me that these are matters which should be left entirely to local arrangement, with perhaps this restriction, that the assent of the Secretary of State should be given to all acts of the local governing body. All local matters, many of which come to Parliament from all parts of the country, and obstruct imperial business, should, as far as possible, with a thoroughly well-constituted local government, be left to the local body.

2822. You are of that opinion with reference to the whole country, not merely as regards the metropolis?—For the whole country. It seems to me of the utmost importance that Parliament should be relieved of these local matters. There is now before Parliament a Bill with regard to Bradford, framed by Mr. Rayner, lately the town clerk of Bradford, but recently elected as town clerk of Liverpool, in which he proposes to establish a financial institution in Bradford, in connection with the Corporation, or as part of the Corporation, a savings' bank for the benefit of the inhabitants. Now, that is a matter which might be further extended, if those local corporations had sufficient powers. Those savings' banks might be connected also with institutions in the nature of building societies. It would not be at all difficult to enable artizans and others, who have effected savings, to convert them into tenements, places which they might occupy, in large cities, and of which they might become the proprietors, with the power, under certain scales of deduction for loss, to reconvert them if they left. I think that institutions of that kind, connecting the governing body of each town with the interests of all classes, might be well established if you had a good local government. Then, again, with regard to charities. Before the Municipal Corporation Act, all the charities of England were mostly under the management of the corporations, they were then taken from the corporations, and given to trustees appointed by Chancery. It seems to me that the local governing bodies properly constituted, might have all the business with regard to endowments entrusted to them, as well as local improvements, the sites of railways, and their stations, and all other matters within their boundaries, to the great relief of Parliament.

2823. Would there not be great advantage in having bodies all over the country to whom Parliament could entrust the execution of Acts that it might make for the public benefit, which it now does not make at all, or which are unexecuted or imperfectly executed, because there are no persons that Parliament can trust to execute them in the localities?—Undoubtedly.

2824. Lord *John Manners.*] I understood you to say, in speaking of the various classes of property in the metropolis, that there was a large amount of charitable property that you would have

have voted for by the President of the Council; why do you select the President of the Council, who is a moveable and political officer, to represent the permanent educational property of the metropolis?—I said that a vast deal of the property in the metropolis was applicable to educational purposes, and it appeared to me that the Vice-President of the Council of Education, being at the head of the department for education, would be a person more likely to be informed of the general improvement which might be given to education by arrangements known to the central authority. There would be an accordance between the action of the Committee of Council and the local action in regard to endowments for education.

2825. I understand you to propose a scheme in which you represent property?—Exactly.

2826. And amongst this property you say that there is a considerable portion of educational endowment; now, the President and the Vice-President of the Committee of Council on Education are shifting political officers, who may be imbued, and often are, with strong political views, and strong views also on the subject of education, in some cases, possibly very much against the views and feelings of the holders of these educational estates; I want to know why you select a changeable officer to represent what in reality is a permanent educational endowment?—I select him as being the representative, if I may so speak, of the mind of the State with regard to education at that time. The State constitution has placed him in the position in which he represents the will and mind of the State. If it were left to the governors of the Charterhouse for instance, or St. Paul's School, or the governors of the various endowed schools in the metropolis, a large number of parish officers and others, there would be no common action, and the representation of charity property might be entirely frittered away in the exercise of personal partialities.

2827. Then perhaps it would be more correct to say that as far as the educational property of the metropolis is concerned, you would have the mind of the State represented, and not the educational property of the locality?—Yes; the trustees as proprietors and as individuals would be also represented.

2828. Mr. *Mill.*] Would you object to have that property represented, not by the head of the educational department, but by some one of its permanent officers?—None; I selected the Vice-President as the officer who stands most in the public view, but it might be by a permanent officer. I have no special attachment to the Vice-President.

2829. Mr. *Tite.*] Did I understand you to say that those great schools to which you have referred, possessing very large properties, the Merchant Tailors' School, the Charterhouse, and St. Paul's, do not spend their money wisely and well, or that you do not wish them to be more represented in Parliament?—Whether they spend their money wisely or well is another matter. I am not speaking of the way in which they spend their money, but of the way in which the local government of London should be constituted; and proposing, as I do, that that local government should have the power to deal with educational institutions, to place them where they are wanted, instead of congregating them altogether, where they are less accessible than they might be; I wish to have in the governing body a representative of the educational property of the locality.

2830. Do you know anything of the working of those three schools that I have mentioned?—No; very little.

2831. You do not know whether they are well or ill worked?—That has been the subject of a very elaborate report to Parliament within the last three or four years.

2832. *Chairman.*] Do you know whether in Mr. Andræ's scheme the electoral body is divided into several bodies comprising certain local districts, or is it one electoral body for the whole kingdom?—It is one body. Mr. Lytton points out the great distinction between Mr. Andræ's plan and mine, that I have endeavoured to follow localities, whereas Mr. Andræ has excluded that.

2833. He speaks of the electoral bodies and colleges as if each of them had carried on a separate and distinct election?—They probably carry it on locally. The people are not obliged to go to Copenhagen. It is carried on throughout the whole country, and then the whole result is brought together at one place, and adjusted.

2834. Have you observed that Mr. Lytton says, in his report: "Elaborate objections, however, have been made to the law by persons whose natural acuteness entitles their opinion to be gravely considered. Before adverting to these objections in detail, I must avow that the impression I have derived from the general result of my inquiries is that the law is not popular in this country, and that, as yet, it has taken no root in the national character." And do you further observe that he says in his paper: "As it is, Mr. Andræ himself has publicly admitted, with some national bitterness, that his law is generally ridiculed as an absurd law. I believe that this is the fact. The law is much ridiculed, but little criticised. I have heard it described as ludicrous, but I have been quite unable, upon inquiry or observation, to learn the grounds upon which this epithet is applied." [Report of Mr. Lytton, Her Majesty's Secretary of Legation, on the election of representatives for the Rigsraad, to Sir A. Paget, dated Copenhagen, 1st July 1863, and printed in the Reports of Her Majesty's Secretaries of Embassy and Legation on Commerce, Manufactures, &c., No. 7, 1864.] It would seem that, as far as the opinion of Denmark is concerned, it is adverse to the law, although Mr. Lytton's opinion is favourable to it?—I do not know. It seems to be the opinion of some persons, certainly.

2835. Would it not appear that that is the general opinion of the country, though Mr. Lytton has written this very elaborate vindication of the law?—I do not quite collect that to be the general opinion of the country; perhaps I am not willing to do so.

2836. I do not understand how you propose that on the second or third day the effects of the first day are to be corrected?—Suppose you have 50,000 electors, and 50 persons to be elected, the quotient would then be 1,000; on the first day you would know how many of the candidates had 1,000 votes; some would have a great many more than 1,000 votes; but you would know how many were elected on the first day; then those persons who had not voted at all would be enabled, if they thought that persons of particular opinions and feelings had been too successful, to collect their votes together on behalf

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half of those having countervailing feelings and opinions.

2837. You do not propose that those persons whose votes are found to be thrown away should be considered as not having voted, so as to be able to vote again?—No votes would be thrown away on the first day, because if any votes were given to a man who had not a quotient, it is extremely probable if he was a man of any popularity, the quotient would be made up by the votes on the second day; if he had 50 votes on the second day, and 1,000 votes were wanted, the probability is that he would get them on the second day.

2838. Those who had given surplus votes for a candidate who had got his quotient would throw their votes away?—No, that is guarded against. In my system, the voting-paper contains several names, and when that quotient of candidate A is made up, the name of that candidate is taken out and the vote is given to candidate B, and when the quotient of candidate B is made up, his name is taken out and the vote is given to candidate C; so that in no case is the vote thrown away, or only in a very small number of cases. It never can be thrown away the first day, because the deficiency may be supplied on the second. Certainly, if a man gave a plumper for one candidate only, and he had a larger number of votes than he required, the vote would be thrown away. The voter, according to my plan, takes several candidates in the order of his preference. If the first gets in without his vote it is given to the second; if the second gets in without his vote, it is given to the third; and so on.

2839. What is to prevent voting on lists in your system?—Nothing; I have not thought it necessary to prevent voting on lists; very probably many would vote on lists.

2840. Would not that lead to the result of the election being more determined by great combinations and confederacies, if I may use the phrase, among the electors, co-operating upon lists?—No doubt large parties would then have the full power which those parties possess; they would frame their lists so that no vote would be thrown away; but there would be a vast number of independent voters, and it would be their object so to frame their lists with the best men, so that they might attract many of the independent voters; they would have the strongest interest to put the best men on the list.

2841. Would there not be a tendency if voters voting for persons whom they wanted, found that their votes were thrown away merely to make arrangements and exchanges of votes, involving very little responsibility?—You are supposing the case of voting on the second or third day.

2842. Any voting on lists?—If there is one voting-paper only, there can be no such arrangements made, because the vote would be given once for all; and if it fails on the first occasion on which it is given, it fails altogether.

2843. Are you aware that in the large parishes in London it was the practice to vote upon lists on the whole area of the parish, and that it was found so inconvenient that the parishes were split up into wards, so that there might be separate voting?—No doubt it would be so under a system on which you depend on majorities, and in which the majority entirely extinguishes the minority. Supposing the whole kingdom voted in that manner, the majority would then elect the entire House, and the minority, consisting of millions, would be utterly extinguished. By dividing into wards you give chances to candidates of the minority; but that becomes unnecessary when you vote by quotients. The quotient is, in fact, the moveable ward.

2844. Mr. *Tite.*] Does your experience teach you that the world generally, except in political contests, thinks much about these elections?—Not as they are at present conducted. I think there is very little interest excited; but I think the public may be made to care more about them.

2845. By annual election and three days' polling?—And also a list before them of those who are candidates, and the certainty of being able to choose those they think the best.

2846. *Chairman.*] Do you think the moral comparison is a just one between the election for the government of a nation, such as the Rigsraad or the election of a Member of Parliament, and the election for parochial administration?—I should think that wherever an election to an important public office is concerned, there may be a fair comparison in all cases.

2847. Do we not find that in the one case a great deal of public attention is directed to it, and in the other none at all?—I think that arises very much from the electoral system, and from the comparatively small power with which the body, once elected, are invested; if those powers were larger, and the system attracted the attention of all those interested in it, you would awaken an interest that is not now felt.

2848. Is it not frequently the case now, that a person resides in London as a householder, and has not the slightest knowledge of anything that goes on about the administration of the parish, or when the election takes place, or who are the candidates?—Very likely, because he never sees the notice unless he looks at the church door.

2849. Mr. *Mill.*] Is it not also the fact that a large proportion of the voters for the metropolitan districts, amongst the higher classes especially, do not vote at all, even for Members of Parliament?—I believe that is so in a very large number of cases.

2850. *Chairman.*] Still they are conscious of the fact that an election of Members of Parliament is going on, while in the other case they are wholly unconscious of any operation going on?—Probably they have only the choice of a person with whom they have very little sympathy, and in whom they take no interest.

2851. However, they are conscious of the fact?—Yes, they are conscious of the fact; they are conscious and powerless.

2852. In the other case they are not conscious?—Exactly so.

2853. You can hardly make a comparison between a case where the people are conscious and a case where they are not?—I think you may have a machinery which would make them conscious.

2854. Mr. *Tite.*] Do you not think that there is an apprehension that if a man interferes with parish politics, and makes himself a little notorious, he may be booked for the churchwardenship, or an overseership, or be called upon to sit on a jury; has not that considerable weight at present, and would it not continue to operate?—I think not; it would have weight at the present moment, because it requires rather more than common activity for an individual to go into the vestries and demand a poll; but, under the system which I propose, it would require nothing more

more than common activity, and an action which would not be striking and apparent, so as to attract attention. It would be effectual without attracting attention.

2855. Mr. *Mill.*] You rely on the voting papers for that?—Yes; the action would be effectual without attracting the attention of the public to the individual who exercised it.

2856. *Chairman.*] Has your observation been sufficiently enlarged to be able to say whether, as compared with the Continent generally, there is not a great decay in the interest felt in local government?—I fancy there is.

2857. The general tone here is to get rid of local government, whereas, on the Continent, the tone is to maintain it?—It seems to me, by frittering away public powers between a variety of different bodies you create local governments, but you restrict as far as possible their force. For instance, when the Municipal Corporations Act passed, all the charities were entirely taken out of their hands without any intelligible reason, except a distrust of the bodies which Parliament was about to form. So with regard to other powers. If considerable powers were given to local bodies, a vast number of applications to Parliament might be dispensed with. The final authority might be exercised subject only to the sanction of the Secretary of State. I believe you might make the office so important that it would be felt by all the individuals concerned worth while to take a part in it.

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Mr. JOHN DANGERFIELD, called in; and Examined.

2858. Lord *John Manners.*] You are Vestry Clerk and Solicitor of the parish of St. Martin-in-the-Fields?—I am.

2859. How long have you been connected with that parish?—I have been intimately connected with it professionally upwards of 30 years. I have been vestry clerk from the time of the commencement of the Metropolis Local Management Act, and for some time before.

2860. We may assume you are familiar with the law affecting the local government of the metropolis?—I think so.

2861. Do you consider that the present system of management for the purpose of paving, lighting, and cleansing, and for sanitary purposes, is well or ill suited?—Well suited.

2862. Although you consider it well suited, do you think it is capable of improvement?—I think it is capable of improvement, but it is well suited on the whole.

2863. What do you suppose are the defects existing in the present system?—Perhaps the Committee will allow me to state my opinion under three different heads; first, with regard to paving and lighting; secondly, sewers and drains; and, thirdly, with regard to nuisances. I will state how those matters connected with the paving are managed in the parish with which I am connected. In the spring of every year, a committee called the Works Committee of the Vestry, meets for the purpose of ascertaining what pavements are necessary to be repaired or renewed during the year; that committee is in the habit of inspecting the streets and making a report; the report is brought before a committee composed partly of the Works Committee and the Finance Committee, and they report to the vestry; a discussion takes place before each of these committees, and they decide what quantity of paving shall be renewed or repaired during the year; the effect is, that the thoroughfares are, in the main, I believe, kept well paved; there may be differences of opinion occasionally as to whether a street is in a state that requires renewal, or whether repair is sufficient, and that matter is decided by committee and confirmed by the vestry. Then, with regard to the lighting, that, as the Committee are aware, is a monopoly of the gas companies under the present system, and the difficulty experienced by the vestry in dealing with them is as to the power they have of repeatedly taking up the pavements. We find that whenever the pavements are taken up they are never perfectly restored. They make what is called a trench; that is, a hole in a portion of the pavement is taken up, and whatever steps may be taken to restore that, it is said to be never perfectly restored, and we have constant complaints on that subject. With regard to the sewers and drains, I may state that a similar course is pursued to that pursued with regard to paving, except that that is perhaps a more spasmodic operation, because it is only now and then that the sewers are out of order, and require attention. Whenever they do require attention the matter is reported by the surveyor, and brought before the Works Committee. It undergoes discussion by that committee, and then is reported to the vestry, where it undergoes discussion again, and then is decided upon. I may state, with regard to the sewers, that I have never known any instance in which any complaint has been made, and not attended to, either with reference to repairs or renewals. Some cases of that sort are under discussion at the present moment, but up to the present time in every instance I believe where there has been a complaint, the sewers have been attended to. I think a very important feature in the Metropolis Local Management Act, regards nuisances and sanitary measures of the parish; and I think, more especially with regard to those sanitary measures, that a great improvement in the law might take place. For instance, our difficulty is to keep clean and in order the very wretched small dwellings in certain courts and alleys existing in the parish, especially about Bedfordbury. We find that these are occupied by a very low class, many of them Irish, and all the efforts we make from time to time to induce cleanliness are in operative, by reason of their very dirty habits. We have not the power which, I think, we should have of compelling the owners of these houses to ventilate them, to provide accommodation, and, in some instances where the property has become almost uninhabitable, to close it up. If we had the power to do that, in fact to pull down some of these dwellings, and in other instances to close them up, we should have the means of improving the sanitary condition of the parish, which we have not at present.

2864. Are you able to give the Committee any sketch of a plan that will enable you to carry out these improvements?—I think that in any amendment of the Metropolis Local Management Act, the local authorities should have the power to enter upon these premises, and in cases where disease exists (which frequently arises

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arises from filth and wretchedness), to remove the persons, empty the houses, and disinfect them. In these courts where the medical officer ascertains that there are cases of fever, steps are taken to remove the infected persons to the Fever Hospital; but it often happens that they die in these dwelling houses, and remain there, so that the rooms are infected, and the children and other individuals occupying the same room become infected, and there is no power vested in the local authority to order that these persons should be conveyed elsewhere, and the rooms disinfected, for eight or ten days, and purified, so that they may become habitable again. Independently of that, there are a great many of these houses that are altogether unfit to be occupied.

2865. Leaving the second branch of the question, have you any scheme to propose whereby the people whom you describe as running the risk of infection, could be removed; how would you propose to effect this removal?—It must be done under the direction of the medical officer. He would have to report that a case of fever exists perhaps in a particular room in a court in Bedfordbury, and that it is desirable that the room should be disinfected. These persons would then have to be conveyed away, but I am not prepared to suggest to what place they should be removed. The necessity of disinfecting such rooms is a matter that has undergone considerable discussion; and I believe that the medical officers of health in London consider it to be a subject of very great importance.

2866. At present you are not prepared to make any practical suggestion as to where you think these persons should be removed?—The practical result would be very simple. There should be power to remove them, to dispossess them, in fact, of the room, and if they have no other place to go to, they would have to be taken to the workhouse. They would cease to be occupiers and lodgers in the rooms where there was any infection, until those rooms were purified, and then they might return.

2867. Then with respect to the inconvenience of gas companies taking up the pavement and not sufficiently replacing it, have you any recommendations to offer?—That matter, as you are doubtless aware, underwent considerable discussion in Parliament, and there were some subways actually made by the Metropolitan Board of Works. It was intended I believe to give compulsory powers, so that the gas companies and water companies should be compelled to use these subways, but it only became permissive, and they have objected to use them on the ground of expense. The same evil seems to recur year after year with regard to their taking up the pavement for this purpose. I can only suggest that in any improvements of the metropolis, subways should be universally applied where there is the power of doing so.

2868. Of what class is the vestry in St. Martin's-in-the-Fields composed?—A very good class.

2869. Mr. *Tite.*] How many vestrymen are there?—There are 36 elected vestrymen, two churchwardens, who are *ex-officio* members, and the incumbent is a member. They are a very good class of men. I think three of them are royal tradesmen, and the others are men of great respectability.

2870. You have no complaint to make of the composition of your vestry?—I have no complaint to make of the composition of the vestry. We have had Lord Overstone as a member. The late Mr. Henry Hoare was a member, and some of the most respectable tradesmen in the parish are now members of the vestry.

2871. Lord *John Manners.*] You have already given evidence of the sanitary condition of the parish, do you wish to add anything?—I attach very great importance to power being given to the local body, or, if necessary, to the Metropolitan Board of Works, to close up any locality where this low class of houses exist. We find that, although we are constantly giving people notice to provide water-closet accommodation, dust-bins and things of that sort, the traps and materials get torn away. The people are so low, so indifferent, and so dirty, that the houses become like pigstyes. If they are cleansed to-day they are again dirty to-morrow. Want of ventilation and cleanliness produces disease; and when there is disease in the parish, we generally find that it comes from that quarter. We have no power to remedy any deficiency in that respect, and I would suggest that, in any amendment of the Act of Parliament, increased power should be given for that purpose.

2872. You have mentioned some influential persons who have been members of your vestry, do you find that gentlemen of that class attend pretty regularly?—I have mentioned two gentlemen, who are the only two of that rank of life. Sir James Hogg, I think, was elected for a time, but I do not think he attended. Lord Overstone attended many times, and the late Mr. Hoare took great interest in our proceedings. He frequently attended, not lately; because the accident which he met, and which caused his death, prevented him. He took great interest in the vestry, and served the office of churchwarden for two years. Lord Overstone was also a churchwarden.

2873. What knowledge have you as to the constitution and proceedings of other vestries and district Boards?—I have no intimate knowledge; I have occasionally met them on matters connected with metropolitan management generally. We have formed committees and invited them to attend, and they have occasionally formed committees and invited other vestries to attend. That is the extent of the information I have with regard to them.

2874. Are you of opinion, from what you have seen of other vestries and district Boards, that they are as well composed as your own?—I should say not all of them; I should think some of them are; I should hope many of them. The persons whom we have met, appeared to be intelligent men of business; we have had occasion to meet them on matters connected with the metropolis generally; but I am unable to speak to the internal management of those vestries; I do not know that anyone can do so, unless he is a member or officer of the vestry.

2875. Do you consider that any improvement is required as to the qualification of a member of the vestry?—I have some doubts about that. The qualification is 40 *l.* a year; but I think there is some provision in cases where the number of inhabitants possessing that qualification is very limited, by which it is reduced to 25 *l.*; substantially, I believe the qualification is 40 *l.* a year. In St. Martin's, the average rating, taking the whole of the parish, is about 100 *l.* a year for each house; there are very few houses below 40 *l.*, scarcely any; but there is this advantage in having persons in the vestry who are not

not very highly rated; if they are entirely kept out, they imagine that jobbery, mismanagement, and other evils exist, and they become noisy, importunate, and disagreeable; whereas, if they are admitted into the vestry they find that the machinery is generally well calculated for the purpose for which it is intended, and they are satisfied. During the 30 years' experience that I have had in St. Martin's parish, quite irrespective of the operation of the Local Management Act, it has always been the object to secure a mixture of men, so that they shall represent different interests, that they may amalgamate and satisfy each other as to the working of the system.

2876. Have you any reason for considering that any general management by means of one or more municipal corporations, would be more efficient for the object in view?—I cannot conceive it possible that any advantage could arise from municipal corporations, as contrasted with the present system.

2877. Have you read Sir William Fraser's speech in the House of Commons, in June last, on the subject of metropolitan paving and lighting?—Yes.

2878. Do you agree with him in his grounds of complaint?—No; I think many of the grounds of complaint of Sir William Fraser are altogether unfounded. He stated that one effect of vestrymen representing different streets, was that those who represented one street were anxious to have it paved, whereas others were not, and that there was a contest among the vestrymen which street should be paved, in order to get more custom to their shops. I do not think that there is the slightest ground for any suggestion of that kind, in anything that I have seen or heard, certainly not in anything that I have ever seen. I think that a complaint was made with regard to the fact that a street is frequently paved, partly by one parish and partly by another. Now this is remedied in the simplest way in the world. In our parish Coventry-street is divided. It was divided laterally, but now we divide it across. There is power given by the Metropolis Local Management Act to the Metropolitan Board of Works, with regard to local sewers, part of which exist in one parish and part in another, to decide which of these parishes shall do the work, charging the other the proper proportion. Nothing is more simple. There is no such provision with regard to paving. I would suggest that in any amended Act, instead of there being a permissive power on the part of the Board of Works, it should be directed, in every instance where the pavement is divided in that way, that the Board of Works shall decide that the work shall be done by one parish, the other being charged its proper proportion, as in the case of the sewers.

2879. Are the parishes and districts, in your opinion, in a better or worse position with regard to the control over the gas companies since the Metropolis Gas Act of 1860?—I think they are in a somewhat better position, but not in a thoroughly good position. The Act of Parliament legalized districting. It commenced shortly before that Act; and I believe the history of the Act was very much this: I had something to do with it at the time, and meetings were held at our vestry and at others. There were two gentlemen who took great pains to convene meetings of vestrymen for the purpose of controlling the gas companies. They had originated a year or two before 1860 a system of districting. Prior to that, several of the companies had general access to the parishes, so that it was a question to be decided by the local authorities whether they would admit one company or another; and that produced competition with regard to the prices. Whether that was good or evil I do not know; but the companies united to establish districts. Then it was suggested, that this being the case, it would give them a monopoly, and that there ought to be an Act of Parliament to restrict them in some way or other. An Act was accordingly prepared and brought in, in which there were many very useful clauses indeed to restrain and control the gas companies. However, in the progress of that Act, the gas companies united very strongly. The inquiry was a very protracted and expensive one, and some of the vestries subscribed to defray the expenses. The subscription became exhausted, and the gas companies prevailed upon the Committee to insert many clauses which were rather opposed (as was believed) to the general interests of the ratepayers. Then it became a question as to how the expenses of that inquiry were to be paid, and at last it was discussed whether the Act ought not to be abandoned; but then if it was abandoned, they found that considerable expense had been incurred for which they had not the funds to pay. The end of the matter was that the Act was very much shorn of its proportions as it was introduced, and a clause was inserted that the expenses of the promotion of it should, in fact, be paid by the parishes, and the parishes accordingly had their proportion to pay. It was settled by the Metropolitan Board of Works what their proportion was according to the rateable value, their subscription being allowed and returned. That is the history of that Act of Parliament; and although there are clauses in it that are to a certain extent beneficial to the ratepayers, I do not think that as a whole the Act is beneficial to the metropolis.

2880. The purport of your evidence is, that on the whole, you are satisfied with the existing machinery for local government in the metropolis, although in two or three instances which you specify you would wish that additional power should be given?—Yes; I am not speaking for my own parish in particular, but with regard to the metropolis generally. There have been certain evils pointed out in newspapers, and by persons perhaps not wholly familiar with the want of power in the vestries. A very serious question has arisen, for instance, with regard to the construction of sewers. In many of the parishes outside of London, where there has been very little sewerage, and where the buildings have increased, it has been a serious question whether they should incur the expense of new sewers, and whether the expenses ought to be borne by the parishes or by the builders. Now, I conceive that at all events, there ought to be compulsory powers with reference to the construction of those sewers and other things of that kind. There should be some controling power over the vestries to direct them when they are deficient in the performance of their duties, and I cannot conceive a more useful body for that purpose than the Metropolitan Board of Works, which has already certain powers in that respect, but not sufficient. I do not think it would make any difference in our locality, because I do not know any instances in which matters have been brought prominently before the vestry, where a deaf ear has been turned to them. I understand that there has been

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been a suggestion made to substitute municipal corporations for the present system. It seems to me that municipal corporations would by no means remedy the evils which at present are complained of. I think the same class of persons would fill the offices. The plan, I believe, is to have 11 corporate bodies, and I think you would never have under that system, any more than the present, uniformity of plan, as though there was one corporation for the whole metropolis. There would be considerable expense attending the administration of these municipal bodies. I see it is proposed to provide town halls, which, of course, would involve a very great expense. One great objection, to my mind, is this: the parish of St. Martin's, for instance, is but one of nine parishes in Westminster, and I will suppose that some special expense is necessary for a particular object, which I will illustrate by what occurred two years ago, when it was proposed to bring in an Act of Parliament to have a market in Leicester-square; that was a matter in which the parish of St. Martin's was more especially interested, and some of the parishioners more so than the others, but the whole parish was interested in preserving that as an open space; the vestry therefore petitioned against the Act, and the Metropolitan Board of Works also petitioned against it; but it so happened, from some accidental circumstances, that the principal opposition rested with the parish of St. Martin, and the result was that we defeated the Act. Now, suppose there had been a corporation for the borough of Westminster; eight of the parishes would have had little or no interest in this matter, and might have said that they would not apply their funds for the purposes of supporting our local interests; they might have said, "We cannot consent that the borough rate, which is paid by all the parishes at large, shall be used for the special benefit of one parish." The same thing has occurred with regard to the several Railway Acts that affected our parish but not other parishes in Westminster; we have, in each of those cases, found it necessary to petition. I have attended, in reference to one or two Acts, during the present Session, on behalf of the parish, whereas, if we had been part of a corporation, it would have been almost impossible to get that power; it would have been said, "This does not affect the general locality, but the particular locality of St. Martin's or St. James; let the people of St. Martin's or St. James be represented in Parliament by means of their own special funds, and not out of the general funds." We should then be contributing to the general rate for the maintenance of the whole corporation, and should either have to let alone our local interest, or supply the deficiency out of our own local funds.

2881. Mr. *Kekewich.*] With regard to the important question of sanitary regulations, have you any power of visiting or removing nuisances?—Yes, that is part of our jurisdiction, but I think it should be strengthened. Where there is a deficiency of drainage, we can compel drainage from the house into the sewer, where there is a sewer within the limited distance prescribed by the Act of Parliament; we have also power to compel persons to stop up cesspools, and to drain into the sewers, to supply water-closet accommodation, and water generally for the use of the houses.

2882. I believe that St. Martin's-in-the-Fields is a union of itself?—It is a parish by itself.

2883. Is it a union by itself?—It has a board of guardians by itself; it is the first parish in London in which the Poor Law Board introduced the Act of Parliament.

2884. Is it your duty as a vestry, or is it the duty of the board of guardians, to visit nuisances and report upon them?—It is the duty of the vestry.

2885. And not of the guardians?—No, they have no such power.

2886. Have you an inspector of nuisances?—We have an inspector of nuisances, and a medical officer of health, a very able man, who takes very great pains to keep down the nuisances and report upon them.

2887. Your inspector is a paid officer?—He is a paid officer, and the medical officer of health is also paid.

2888. Has he a power of entry?—Yes, the Act of Parliament gives us the power of entry.

2889. The committee of your vestry would not have the power of entry?—We depute the power; the power is given to us and we depute it to our officers; the vestry themselves occasionally inspect when the necessity arises.

2890. Have you had any order sent lately from the Poor Law Board with regard to the removal of nuisances?—I think not.

2891. You have not taken any further steps for the removal of nuisances lately?—No; we carry the law into effect; we have not been more or less diligent now than heretofore, and I am not aware that there is any complaint of us; we have gone on in the same course that we are now pursuing for the last 10 years.

2892. If you find that there is a want of accommodation you have power to summon the owner before a magistrate?—Yes, but it is like cleansing a pigstye; the people are so dirty and filthy, and mischievous; the owners frequently complain of them. During the 10 years that I have acted as vestry-clerk, since the introduction of the Metropolis Local Management Act, I have repeatedly given notice to owners and occupiers. Generally speaking, the owner does something which lasts for a certain time, but the same thing recurs perhaps in an aggravated form, and perhaps in the meantime a fever may have taken place.

2893. Mr. Alderman *Lawrence.*] Have you not the same powers in St. Martin's-in-the-Fields, as all other district boards have, of compelling the landlords to provide the houses with proper water-closets and a proper supply of water, and to keep them in a sanitary state of repairs?—We not only have the power, but we have always exercised it.

2894. I understood you to complain that you had not the power to compel landlords to repair?—No; I said that we have not the power to compel landlords or tenants to turn out so as to procure the disinfecting of rooms where disease is rife, or where disease is suspected. Our medical officer has complained to me that the want of power in that respect neutralizes a great many advantages that he would otherwise be able to secure.

2895. Have you not the power to compel the landlord to carry out the requirements of the inspector of nuisances, and is it not in his power to remove the tenants?—There is no power given by the Act of Parliament with regard to the removal of tenants.

2896. Have you not power to compel the landlords to carry out the requirements of the inspector

tor of nuisances, and have not the landlords power to remove the tenants?—It rests with the landlord to remove the tenants, undoubtedly.

2897. I presume, if the parish were to compel the landlords very frequently to carry out these improvements, they themselves, in self-defence, would take care not to have that class of tenants to which you have referred?—I think so.

2898. Then it is, in point of fact, the fault of the vestry in not compelling the landlords to carry out these improvements, and not the want of power to remove the tenants?—I do not say so at all. I understood your question to be, whether it rested with the landlord or the vestry to turn out the tenants. The vestry have no power; whether the landlord turns out the tenants or not the vestry are remediless. All that they can do is to direct what shall be done with regard to the water supply, dust-bins, water-closets, and so on. We have given hundreds of notices of that kind, and have insisted on them being complied with. They are always reported upon, and if the parties voluntarily comply with the notices (which they generally do, though they are slow in doing it), well and good; if not, a summons is taken out before a magistrate; they then generally assent at once, and an order is made or not, as the case may be, and the work is done. That is in a large number of instances the ordinary routine; and that is the most that the vestry can do.

2899. I understood you to complain of a want of power in reference to the removal of these nuisances?—I said there was a want of power with regard to sanitary measures. The sanitary condition of the courts and alleys is so bad, the ventilation of the houses is so bad, and the filth is so great, that I say, in many instances, they ought to be closed and prevented from being occupied at all.

2900. Is not their present state due to the vestry not compelling the landlords to carry out the requirements of the inspector, which they have the power to do?—Certainly not, as far as the parish of St. Martin's-in-the-Fields is concerned; there is no fault on their part; the matter is constantly brought under our notice. We have a regular report on the subject every fortnight. The vestry meets every fortnight in the evening, and we have reports from the medical officer of health, the inspector of nuisances, and the surveyor; and very often they all relate to nuisances. Action is immediately taken. The first step is to give notice, or, if notice has been previously given and it has not been attended to, a summons is issued, and the parties are compelled to go before the magistrate.

2901. If the landlord does not carry out the requirements of the inspector of nuisances, the parish has the power of summoning him before a magistrate to compel him to do so?—Certainly.

2902. Mr. *Tite.*] We understand that; but how do you find the magistrates act when you go before them. Are they friendly or unfriendly to this interference with the rights of property in the owners; how have you found that in your own experience?—In my experience they have generally attended to the requests of the parish.

2903. I believe the remedy is this, that if the owner will not do it, the vestry may?—Yes.

2904. And you may summon the owner to make him pay the money?—That is so.

2905. Have you ever had occasion to bring those cases before magistrates, and they have refused to admit your jurisdiction, and would not help you?—I have no recollection of any instance of the kind. I do not know of more than one instance where the vestry have been obliged themselves to perform the work and charge it afterwards; we generally find out the owner where the occupier is a low inhabitant (and it is usual, as you may suppose, in these districts, for the houses to be occupied by low people), we find out the owner, and he is almost invariably slow in doing the work; but we never let him alone until we have pursued him to that point, and he does what is required by our notices; the same thing very often occurs a short time afterwards.

2906. However, you have the remedy to do it yourselves?—Yes.

2907. And it is in the breast of the magistrate whether you recover the money from the owner?—Quite so.

2908. Have you such cases in your recollection?—I do not know any instances in which the magistrate has refused to give us the power to recover.

2909. Are there any subways in your parish?—No; I do not think there is any subway in the parish.

2910. I believe there is?—I was not aware of it.

2911. Do you know whether Garrick-street has been broken up?—I do not know how that is. I think it is partly in our parish, and partly in St. Paul's, Covent Garden.

2912. You do not know whether the subway is used or not?—I think not.

2913. I believe it is used both by the gas company and water company, and the surface has not been broken up?—I did not know that.

2914. Lord *John Manners.*] If it had been broken up, you would probably have heard of it?—Probably so.

2915. Mr. *Tite.*] Your elections are triennial, I suppose?—The elections are annual; we have three wards.

2916. Practically, a man is in for three years?—Yes, undoubtedly.

2917. Is public attention drawn to the election; is there any competition, or does it go on smoothly?—Very smoothly; there is no competition in the parish at all. We have very frequently asked the gentry to come among us, but there are many difficulties in the way; they would rather not give their time and trouble; they object to that; they reside out of town, and other causes of that kind.

2918. Is there any ratepayers' association in your parish?—I think that a ratepayers' association was formed when the Act was passed; but whether they now meet or not I do not know. I believe when they do meet, it is in a quiet way; there is no action of that sort taking place at our election usually; it is very exceptional.

2919. They take no part in calling public attention to these annual or triennial elections?—No.

2920. I think you suggested that if the Board of Works had some appellate jurisdiction with regard to these matters which you can call upon them to interfere with, you think it would be a desirable power?—I think it would be a very desirable power.

2921. If in the vestry, a report is brought up that a certain sewer ought to be made or repaired, or that a certain street ought to be repaired, and that, owing, as it is suggested, to the poverty of the parish, and of those who represent the parish,

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and of their unwillingness to spend money, the work is left undone, to the prejudice of the public, do you think that an appellate jurisdiction in that case would be useful?—I think that would be just the case where an appellate jurisdiction would be useful and wise. It is suggested by those who advocate the corporations, that there is too much regard to economy. It may prevail in some instances; but if it does prevail, it would be very easily remedied by that appellate jurisdiction.

2922. That is, one or two of the inhabitants or vestrymen might bring the matter before the Metropolitan Board?—Yes, two or three, or half-a-dozen, might bring it before the Board of Works, who in that way would have a general knowledge of the mode in which the metropolis is provided with paving and lighting, and necessaries of that sort. This knowledge gained by the appellate jurisdiction would probably give rise to some uniformity of system where there was any difference between the practice in one parish and another.

2923. In your parish, you do not admit anything of the sort?—No, I really do not believe that it is necessary, generally speaking, but I am not prepared to say that in some parishes it might not be useful. Even where there were differences in the vestry they might be set at rest in that way.

2924. That appellate jurisdiction might apply to the making of sewers, and so on?—Yes.

2925. It does not apply so much to your parish?—No; it would apply to the north and south, and to the extreme eastern parishes, and perhaps to some of the extreme western parishes; to all of the outside parishes where the ground is not covered. No doubt it has been a great difficulty; and I have heard somewhat of it in the neighbourhood of Kensington, where there has been a great complaint in that respect.

2926. Practically, you do not know much about it?—Only by report.

2927. Mr. *Mill.*] Your experience of the working of metropolitan vestries, I understand you to say, is derived mainly from the working of your own vestry?—Quite so.

2928. Your vestry appears to comprise several persons of very considerable importance; some of very high social positions, others of the highest class of tradesmen?—I mentioned some of the superior class of tradesmen. There are no men in the vestry now belonging to the highest class of society. Lord Overstone was a member for a time; Mr. Hoare was a member, and continued to be a member up to the time of his death; we supplied his place the other day. The most active and the best men are the superior class of tradesmen in the parish: then there are others of considerable intelligence, not occupying quite so high a position in business.

2929. Do you think there are many metropolitan vestries that have the advantage of such men?—I do not know; to some extent, I should say, not to a considerable extent; I doubt if it is to the same extent.

2930. Lord Overstone is not only a man of high social position, but also of great ability and power of speaking, and probably while he was a member, he exercised very great influence in the vestry?—He did not very often attend; there were few occasions on which he attended; he was willing to attend on certain occasions, when there were matters of great interest brought forward. Our hour of meeting (seven in the evening) was against the attendance of the class of persons to which he belonged.

2931. Do you not think that in those vestries, which have not such persons belonging to them, it might easily happen, and does happen, that they are much under the control of persons who are very often the owners of those properties which are in the state you describe, and which it is so extremely desirable to have remedied?—I do not know that to be the fact; I should doubt it very much, because I think the general feeling and sympathy of the vestry would be very much against such persons. They would be pointed out by the vestry as persons who should not be listened to.

2932. Do you think that there is in all vestries that degree of interest in the subject, and that degree of care about the persons appointed, which appears to exist in yours?—I doubt whether less care is shown in the appointment of other vestries. In some parishes the vestrymen are not of so good a class, perhaps; but I should say that in the main there are good men of business in every vestry. Judging from the persons who have attended on the different committees, I have been impressed with the idea that every vestry was more or less represented by certain very able men. Of course there will always be men of less intelligence; one man has ten talents, and another only one, but still the man with only one talent would bring a certain degree of intelligence. There may perhaps be, here and there, a man whom it would be desirable to exclude from the vestry; in a very large body, numbering, as they do, I think, in St. Pancras, 120 persons, you would necessarily have some men who would be objectionable, having either some personal interest, or some political interest, or a want of intelligence, or something which would interfere, perhaps, with the harmony of the vestry; but I doubt whether that circumstance materially interferes with the progress of business.

2933. Your experience is of a vestry in which that influence, if it exists, must be much counteracted by persons of a superior class?—I have no doubt that in a body of that kind the better class of persons have a degree of influence, almost insensibly, over those of a lower class, who perhaps have opinions of their own which they may be desirous to oppose to those of persons who are higher than themselves in society; but the able men of business generally lead the others.

2934. Do you not think that such men as you have mentioned, the higher description of tradesmen and persons of a higher social position than tradesmen, since they are willing to be members of your vestry, if there were a municipal corporation for the whole of Westminster would be still more willing to be members of that body?—No, I should say exactly the reverse. I should think that Lord Overstone, for instance, would say, "I will have nothing to do with the corporation. I am a member of St. Martin's parish, and take an interest in it. I reside there, and am acquainted with the inhabitants. I have a sympathy with them, and know their wants; and so far as I can be of any use in the parish, I am very willing to be so. I will serve the office of churchwarden, and attend your meetings as far as I can; but do not ask me to be alderman of Westminster, or Lord Mayor of Westminster." I believe such men would turn up their noses in thorough contempt.

2935. You

2935. You say there are many persons of that class who have paid special attention to the local wants of their own immediate neighbourhood; that is no doubt very much the case in rural districts, but do you think it is the case in a great town like the metropolis?—I think that the great excellence of vestries is that they do attend to the local wants of their own neighbourhood; and more than that, they have a sympathy with the wants of their own neighbours. They are interested themselves, and they sympathise with their neighbours with reference to their necessities, and determine to remedy them as far as they can; but if the same men were spread over a large area, they would not have the same power of exercising authority; their power would be limited; it would be put into competition with the power of other individuals, as in the case I mentioned just now with regard to the Act of Parliament for a market in Leicester-square. I think they would not be able to do many acts which they otherwise would do out of their own means, and from their own feeling of what was necessary for the locality.

2936. You think that the Corporation of Westminster would not have taken the measures which your vestry did to keep Leicester-square open; do you believe, from anything that you have heard, or any means of observation you possess, that the corporations of towns in general neglect the local interests of particular parts of those towns?—No, I cannot see that there is any comparison there. A corporation in a town has no regard to parochial interests; it is a corporation for the whole of the town. Take the case of Manchester, Liverpool, or any other large towns. There they all have an equal interest with regard to the whole borough; but if there were ten or eleven corporations in the metropolis, each corporation would attend to its own local interests. Take the case of a corporation composed of nine parishes; it is obvious that each parish would only have the ninth part of the power. Instead of having exclusive power to remedy evils existing in his own parish, a vestryman would only be able, in a municipal body, to give one vote in nine in favour of a resolution which he could carry in his own vestry if he were sitting there.

2937. Suppose this system existed, and that when anything was proposed for the benefit of one parish, all the others voted against it, would not the result be that none of the nine parishes would get what they wanted, whereas, if they followed a different plan, and the eight parishes voted in favour of the ninth parish, all the nine in their turn would get what they wanted?—If they acted wisely; but I am afraid one cannot calculate upon that. I am supposing the case of a great expense being required to be incurred in one parish in which the other parishes were not interested. They would then say, "Why should we burden the borough rate for such a purpose? With regard to any improvement that may be required in our own locality, that is a thing which we must provide for when the time arrives; but at present it is an evil to us to have the borough rate burdened with a great expense in regard to a matter by which the borough is not benefited except as to a ninth part."

2938. Might not that happen in Manchester or Birmingham, or anywhere else, when something was proposed that would only benefit a particular quarter of the town?—I think the comparison would not hold in the large towns, because the corporation there represents the whole of the body, and they would feel bound to attend to every portion. I have no doubt, in every body where influential persons take a lead, they would either obstruct or encourage something in which there were antagonistic interests of other parties.

2939. If, in addition to local corporations, there was a general administrative body like the Board of Works, and if there were the power of appeal which you have advocated, so that your parish could appeal to the general body against the adverse decision of the other eight parishes, would not that correct the evil of which you are apprehensive?—No doubt; any appellate jurisdiction, if it was wisely executed, would be of great service, whether as regards vestries or corporations.

2940. Who has the appointment of the officer of health to the vestry?—The vestry appoint him.

2941. They are bound to appoint an officer of health?—They do appoint him.

2942. Are they not obliged by law to do it?—I think they are; I am not quite sure without looking into the Act of Parliament. The law gives them the power to appoint the necessary officers; I think it does not define them particularly. The vestries of district Boards appoint such officers as they deem necessary, either in regard to character or number, and they assign to them such duties as they think fit.

2943. They are not necessarily obliged to appoint an officer of health?—I think they are not necessarily obliged to do so.

2944. But they generally do?—An officer of health is appointed under the sanitary powers given by the Nuisances Removal Act, which are vested in the vestries.

2945. Mr. *Tite.*] I believe they are obliged to appoint such an officer?—I know they do it; I believe the question has not been raised; I am giving you my general impression.

2946. Mr. *Mill.*] The salary is not fixed by law?—The salary is fixed by the vestry.

2947. From what you said I presume, that in your parish the vestry have a perfectly good understanding with the medical officer, and that so far as their legal powers reach, which you consider to be insufficient, they do carry out his sanitary recommendations; at all events, his reasonable ones?—That is so.

2948. Do you think that is the case generally in the metropolis; the contrary is often asserted?—I am aware that it is so stated, and it may be so in some instances; but I doubt very much indeed whether as a rule the vestries do not attend to the advice of their sanitary officers, so far as they have the means of doing so; I should be disposed to think that they did.

2949. Did you ever hear of the case of an officer of health of considerable eminence having bestirred himself very much for sanitary improvements, and having had his salary lowered in consequence?—I am not aware of that; I never heard of such a case.

2950. Mr. *Tite.*] What salary do you pay your medical officer of health?—I do not recollect; I believe it is between 100*l.* and 200*l.*

2951. It is under 200*l.*?—Under 200*l.*, I think.

2952. *Chairman.*] Do we understand that you come here at the request of your vestry, or with their concurrence?—I come with their concurrence, under a petition which was presented to the

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the House under their corporate seal. It is fair to say that I suggested to them, that as inquiries of this sort were being made, and as the vestries were in some measure upon their trial, some of the vestries ought to be represented before the Committee. Accordingly this petition was presented, and a resolution was passed that I should attend to give evidence.

2953. In the evidence that you are giving, are you expressing the opinion of the vestry, or your own?—It is my own suggestion with regard to these matters, and the suggestions that I offer arise from my own practical dealing with the affairs of the vestry.

2954. The views that you have generally expressed are not to be taken as the views of the members of the vestry, but your own views?—My own views; I was requested to give evidence by the vestry.

2955. The petition to which you have referred was agreed to by the vestry, and a copy of it was sent to other vestries as a model of action?—Yes.

2956. Have any of the other vestries sent in a petition to the same tenor?—I do not know; we have had answers from some who intend to do so. In one instance a vestry stated that it did not agree with us with regard to the appellate jurisdiction.

2957. Is the area of your parish a very compact area, or does it straggle into other parishes?—It is a little straggling, more in the direction of Covent Garden. Covent Garden has been taken out of it. It is a small parish, and we have to go across it, but with that exception St. Martin's is tolerably compact.

2958. On the east side it is interlaced with the adjoining parishes?—Yes, Covent Garden was taken out of it.

2959. Does not that make the interference of jurisdiction rather inconvenient to the neighbourhood?—I do not know that it interferes with our usefulness.

2960. Covent Garden is part of the Strand district?—Yes; comprising several parishes, St. Clement's St. Ann's, St. Mary's, and the Savoy.

2961. Have you considered the expediency of uniting the parish of St. Martin's with the Strand district?—I think it was suggested to our parish on one occasion. I do not think we went into it very much in detail; it was not considered desirable. The parishioners of St. Martin's would rather hold to their own. It is a Royal parish, and they attach importance to it; they would rather act independently of the Strand Union, or any other parish.

2962. That is a sort of sentimental objection?—I dare say it is a sentimental objection; but as regards business, they did not see any advantage in the union with reference to local management.

2963. Considering the way in which your parish is interlaced with the Strand Union, do you not think that there would be some convenience in throwing it into one compact district?—There might be a little convenience, but I do not think there would be much. Although the parish is crossed by the centre of Covent Garden, yet it is a continuous parish; there are no breaks in it; you may go from one end of the parish to the other without crossing the land of any other parish.

2964. You have spoken of some inconvenience that might arise from a Board representing several parishes; have you ever heard that any of these inconveniences have arisen from the Board of the Strand district representing several parishes?—I have not heard that.

2965. Judging by experience, there would be no reason to suppose that if your parish were annexed to the Strand Union any inconvenience would arise of the nature you have mentioned?—As far as I know, similar inconveniences have not arisen; but I think it is better that where there is a large parish, having large funds at its disposal, and being entirely independent, it should maintain that independence. Whether the joining of another Board would benefit them or not, I doubt; I do not think it would benefit them.

2966. Are the vestrymen elected directly in your parish, or indirectly?—Directly.

2967. In wards?—In wards.

2968. How many wards are there?—Three.

2969. How many are elected by each ward?—Twelve. We have 36 members, 12 to each ward.

2970. Do you think that that is the most convenient mode of election?—Yes, I think it is a very good arrangement; one of the best arrangements with reference to election; for this reason: we will suppose that one ward is a little richer than another; we find that in election matters persons in the lower rank are more active; they have a little more time on their hands, and they like a little excitement. By allowing them to return 12 men in their own ward, and preventing their going out of it, the other wards are represented by their own inhabitants, so that one ward which may be especially active is not allowed to dictate to the whole parish. We think that the classes are better divided and better amalgamated in that way than they would be by a general arrangement. I have always understood that that was the view that Sir Benjamin Hall took in the matter.

2971. Practically, you find that the position of a vestryman is more sought after by those persons who have a subordinate social station than by those who have a more important social station; is that the motive that produces the activity to which you have referred?—I think that each class has a little ambition to be represented in the vestry, and that the system of ward election gives the opportunity for each class to be so represented. The richer ward is represented by the wealthier class of tradesmen, and the other wards are represented by men not in so high a position, but still respectable men.

2972. Do you think that the members elected are sufficient or insufficient for the work that is to be performed by the vestries?—Quite sufficient. We find that our attendance is sufficient to make a quorum. We must have nine, and the number varies from that to about 20, and sometimes more. We have always enough to give a certain interest to the discussion, whatever it is, and to represent the parish generally, as far as I have been able to see.

2973. How often do they meet?—Once a fortnight, and the committee meet at intervals.

2974. How often do the committee meet at intervals?—Perhaps once a fortnight. The works committee is the active committee. Then there is the finance committee. The works committee undertakes the duties connected with paving, lighting, sewerage, and the like. The other half of the vestry composes the finance committee; and in any very important matters they usually meet together in a committee of the whole vestry.

2975. What

2975. What are the duties of the finance committee?—To consider matters that relate to contracts, and affairs of that kind.

2976. Do the members complain of the numerous attendances or the length of the attendances?—No, they do not.

2977. You have no reason to suppose that they consider the duty irksome?—I think not.

2978. Can you explain why the position is not in any way sought after or obtained by persons of independent fortune who reside in the parish?—I do not know; it gives them no distinction, and persons of independent fortune, who reside in London, have generally other occupations. I do not know of any vestry, except St. George's, Hanover-square, that contains that class of persons. St. George's vestry is a little peculiar in that respect, and has been so for a long series of years. The position of churchwarden, for instance, is generally filled by a nobleman or gentleman, and anyone who visits St. George's, Hanover-square, will see that the inscription on nearly every front pew contains the name of a nobleman or gentleman. Since the establishment of the Metropolis Local Management Act, that class of persons have taken an interest in vestry matters. With that exception, I do not think there is any parish in which the men of the same class have consented to act.

2979. You have only mentioned the persons of independent fortune who have taken part in your administration?—That is all.

2980. How many residents of that character do you suppose there are in your parish?—A large number. There is Carlton House Gardens, New-street, Spring Gardens, and other places where there are a great many noblemen and gentlemen residing during a portion of the year, but they have never shown the slightest inclination to serve in parish offices.

2981. What steps do you take to make known the fact that there are parish offices in which people can serve?—The vestry meeting takes place on the first Monday in May. Notices are generally issued and affixed to the churches and chapels, announcing when the election takes place. Some of these notices are delivered by the inspector of the parish, but not to any extent.

2982. That delivery to the parish at large is perhaps to those persons whom the parties desire to interest?—No, they are given to the inspector; a certain number, four or five hundred, perhaps, to distribute; but nobody would think of giving any special direction.

2983. How do you reconcile it with a proper system of administration, that you should deliver these notices not to the whole of the parishioners, but to some selected?—There is no importance attached to the giving the notices, except that they are required by law, in some instances; I think a certain number of notices have to be printed; then we tell the printer to print so many hundred and hand them over to the inspector to distribute.

2984. And he distributes them at his discretion?—He takes them to some of the houses and shops in the parish; many of the housekeepers will not be troubled with the notices. I do not think that any importance is attached to the delivery, but I believe it is done.

2985. Is that the only communication made to the parishioners with regard to the parochial business that is to be transacted?—Yes; that parochial business is confined to the election on the first Monday in May.

2986. Do you publish your transactions in any way, or print them?—We are bound by the Act of Parliament to publish the whole of our proceedings during the year; every vestry and district Board does the same.

2987. The publishing consists in sticking up notices on the church door?—No; we print a small pamphlet of the proceedings.

2988. Do you publish it in any way?—No, we do not.

2989. The pamphlet is not sent to anybody in the parish?—There is a publication of some of the alms funds; I am not quite certain whether we publish the receipts of all our alms funds, amounting to between 2,000*l.* and 3,000*l.* a-year, with the names of the recipients, and the sources from which we receive the funds. We have published the church accounts, but whether that has been done latterly I am not sure. I am not quite sure whether the proceedings of the vestry are not sometimes bound up with them, but it is not necessarily the case. I desire to correct the last answer. Latterly the proceedings of the vestry have been gratuitously circulated in the parish.

2990. Can you tell us practically how the persons who do become vestrymen, get into that position?—Take the case of a particular ward: a third of the number retire annually, according to Act of Parliament, by rotation; as a rule they are re-elected, except in a case of a man who has not attended in the vestry, and then they say, "We may as well elect somebody else in his stead."

2991. How is that known to the parishioners?—It is not known to the parishioners at large. It is simply known in the vestry. The members attend at the election, when certain names are brought forward. I presume these persons are neighbours, and one says to another, "Will you be a vestrymen? Will you serve if you are nominated and elected?"

2992. You do not nominate any person formally in the election, but you vote at once, without nomination?—Unless there is a demand for a poll, and then the election takes place on the following day by ballot.

2993, Are the persons nominated, or may a man vote for any person he chooses?—I think the election is confined to persons nominated. I do not think we have had any instance where it has been contended that a person not nominated on the Monday, when a poll was demanded, could be elected on the following day.

2994. I do not see that the Act of Parliament states that the person must be nominated?—It is so practically.

2995. I am asking you whether the election is confined to persons nominated?—Where a poll has been demanded, in the case of a contest, I am not aware of any names being brought forward on the day of election, except those that were nominated on the day of nomination.

2996. Is it at all necessary?—I do not know that it is.

2997. A person may vote for anyone he pleases?—It may be so; I have not had occasion to consider that; as far as I recollect, the persons who have been voted for on the day of election have been those who were nominated on the previous day.

2998. When a meeting is convened for election, what steps are taken to make it known to

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the inhabitants beyond the notice on the church doors?—The notice is prescribed by Act of Parliament; if a poll is demanded, it is to take place at eight o'clock on the following morning, terminating at eight in the evening.

2999. What steps are taken to inform the inhabitants that the poll is going on?—None, unless there is some excitement in the parish, and then placards will be put out announcing the poll; there will be always some notice outside, and some one with a placard parading in front of the place; that is the usual course.

3000. That would be at the expense of the candidates, and not done by the authorities conducting the election?—By some person interested; a few persons, perhaps, who take an interest in a better class of men being elected would be at this expense.

3001. And those who take an interest in the worse class of men might be at the expense?—Yes.

3002. Nothing is done by the authorities, but it is purely a personal matter with the candidates?—Except announcing that a poll is going on, there is no general publication throughout the parish.

3003. How many persons attend at these meetings usually?—Very few.

3004. How many?—I should say that it would average not more than twelve, or fourteen at the outside, except in cases where, for some reason or other, there is some excitement in the parish.

3005. Where are the meetings held for each ward?—They are obliged to be held in the ward; our ward, No. 1, is called the Charing Cross Ward, and the vestry-house, near St. Martin's Church, is the place for nomination and election for that ward; No. 2 Ward represents Long Acre, and there the nomination and election take place at the schools at the back of Long Acre; No. 3 Ward represents the Strand, and that locality, and there the election takes place at Exeter Hall.

3006. It is your duty, I presume, to attend at each ward?—I consider it to be so; I have always done so; it is somebody's duty.

3007. How many electors are there in each ward, generally speaking?—I think, in round numbers, some six or seven hundred.

3008. When the poll has been demanded, what has been the number you have generally polled?—I cannot recollect; it is a long time since we had a poll; my mind is a perfect blank on the subject. I can, if you desire it, tell you how many elections we have had in the ten years, and what have been the majorities by which the members have been elected.

3009. We may take it generally, that the requisite number are nominated and elected, and that there has been some conversation as to making up the exact numbers so as to avoid a poll?—Where there has been no election, no excitement, or no inducement to lead to a competition, a certain number of persons meet and propose Mr. A, Mr. B, and Mr. C. There is seldom any one present to make any contrary proposal, and the vote is usually carried at once.

3010. If other names are suggested, I presume there is some conversation as to who is to be elected, so as to avoid a poll?—No doubt some one who takes sufficient interest in the parish is prepared to move that Mr. So-and-so be re-elected, or in the case of a vacancy, that Mr. So-and-so should take the place of some one else.

3011. And after some friendly discussion they fix upon the persons to be elected?—Yes.

3012. That is usually done without any polling?—That is generally the case without polling.

3013. If they cannot reconcile their differences, then they demand a poll?—Yes; there must be five members to demand a poll.

3014. Do you recollect how long it is since you have had a poll demanded?—The Act commenced its operation in 1856; this is the eleventh year, and I think we have not had a poll demanded for the last five years; I am speaking rather at random.

3015. Your local government now has fallen into the condition of a vestry, which practically weeds out a member now and then, and puts in another, without the parish generally taking part in the matter?—The parish at large do not take any part in any of the local elections.

3016. The necessary effect is that the vestrymen take out some members, from the causes which you have mentioned (which are only known to themselves) and put in others instead, by a concerted action among themselves?—It is very rarely the case that a man who wishes to remain is displaced; I think there are very few such instances; but sometimes, in the case of a person who, from sickness or unwillingness, has not served, he may be asked, "Do you wish to continue or not? You are very seldom present." I have no doubt that that is the sort of communication that is made; but there is no operation of the vestry with which I am personally conversant. I am not speaking of the official action, but of the social action in the vestry; I have no doubt that that is what is said, "You have not attended lately; I suppose you do not wish to continue?"

3017. Do you not think that that is to be attributed in a great degree to the fact that you have explained, that the vestry has really no relationship with the parishioners, inasmuch as it never makes a communication to them in any way about the local government; is it not the fact that the vestry never makes any communication to the electors or ratepayers about any matter connected with the local government of the parish?—No; because they are not called upon to do so except to print their transactions, which are accessible to every one. If they went beyond that, I should tell them that they were incurring an unnecessary expense which might be fairly objected to, the Act of Parliament not requiring it to be done.

3018. Do you not consider it a defect that the governing body should have no connection whatever with the parish, or the ratepayers and electors of the parish?—I do not know how they could have connection with it except in the way you suggest. I see no reason why the vestries should not be obliged to publish their transactions annually, and send them round to the ratepayers; some of them might be curious enough to read such a document, but I expect that a large number would put it behind the fire.

3019. Still it would have the effect of preserving a relationship between the governing body and the governed?—Yes, I do not see any objection to it.

3020. Do you think it would induce persons who keep aloof now to take an interest in parish proceedings?—I doubt that; but it would give them the means of judging what is done by the vestry, and whether they would like to be parties to such proceedings.

3021. You

3021. You have spoken of vestries being desirous of doing what is right in the good government of the parish, but not having sufficient powers?—I think that in some respects they have not sufficient powers.

3022. Can you give any precise reference to Acts under which you conduct your affairs, and point out the exact features in them that you think ought to be remedied?—I do not know that I can do more than I have done. I think that for sanitary purposes the local bodies have not sufficient power over buildings that, in many instances, ought not to be occupied at all.

3023. Let me call your attention to a clause in the Act 18 & 19 Vict., chap. 121, which states that, "if a nuisance, proved to exist, be such as to render a house or building, in the judgment of the justices, unfit for human habitation, they may prohibit the use thereof for that purpose until it is rendered fit for that purpose in the judgment of the justices; and on their being satisfied that it has been rendered fit for such purpose, they may determine their previous order by another, declaring such house habitable, from the date of which other order such house may be inhabited; and any person not obeying the said order of abatement shall, if he fail to satisfy the justices that he has used all diligence to carry out such order, be liable for every such offence to a penalty of not more than 10*s.* per day during his default; and any person knowingly and wilfully acting contrary to the said order of prohibition shall be liable for every such offence to a penalty not exceeding 20*s.* per day during such contrary action"; what greater power than that could you have to carry out the objects you have expressed your desire to effect?—I think there would be great reluctance on the part of magistrates to close up houses under the circumstances there pointed out. They would probably make orders from time to time, for remedying the evils of which we complain, still there would be a constant recurrence of them. The view that I expressed was, that in some instances there should be unlimited power to close up the houses, so that they should not be re-opened or used for habitation at all. That clause seems rather to point to habitations that have been to a certain extent habitable, but from some neglect have ceased to be so. I think there ought to be power to take down such houses altogether, and open out the thoroughfare.

3024. You divided your objection into two heads: one was with reference to pulling down houses which were in their construction unfit for habitation (a point you were requested not to enter into), and the other was with reference to removing people out of rooms where the continuing habitation of them constituted a nuisance and an injury to health; that power is rather with reference to a nuisance than with reference to disease?—I said that some local body, the vestry or the board of guardians, should be entrusted with power to turn persons out of an infected room, that it might be disinfected before they returned; I do not understand that the clause points to that.

3025. You mean that the people are a nuisance, and that they ought to be removed because they are in a sickly condition?—I say that the medical officer of health should be empowered to remove these persons infected by fever, and that the room should be closed for a time until it is disinfected.

3026. Is not the power in the Act sufficient with regard to a room if it is unhealthy?—We have power to direct certain works to be done, but it is extremely difficult to work that out unless power is also given over the dwelling; because there are so many instances in which nuisances of that sort exist, and in which they are limited, but recur again and again.

3027. You are aware that the magistrates have power to prevent the recurrence of the nuisance?—Yes.

3028. I want to know what further power the magistrates need to have than that which this Act gives them?—We think that the local authorities ought to have the power, as I said before, of removing individuals from an infected room; and in cases where the evil was likely to recur they ought to have the power of closing up the premises altogether. I do not consider that the Act gives them the power; they may direct certain works to be done, to prevent the recurrence of the nuisance, but the Act does not say that they may close up the premises, or prevent their being occupied.

3029. I have read the clause; and it appears that if there is anything injurious in the room, anything prejudicial to health, power is given to close up the room until it is made healthy?—I do not understand that as regards disease; it refers rather to a nuisance; for instance, a want of water supply, water-closet accommodation, and nuisances of any kind that ought to be removed. I do not understand the clause to give magistrates power to direct a fever-infected room to be closed up and disinfected; at least it has not been so interpreted.

3030. Has it ever been tried?—No, it has never been so interpreted; the term "fever and sickness" has never been treated as synonymous with "nuisances."

3031. That is the only addition you think necessary to make the Act efficient?—I think that would be a very useful power.

3032. Nothing else occurs to you as necessary in that respect?—Nothing else occurs to me as necessary.

3033. I presume there would be no other alternative than that which you have suggested, to remove the people into the workhouse?—You could not allow them to remain in the street; they should be looked after, of course. I have no doubt the parish, in the exercise of their authority, would see that they were provided for and had medical attendance.

3034. Can you give the Committee any statement of places that are open to these observations?—There is a place called Brewer's-court, in Bedfordbury, which is in a very objectionable state.

3035. To whom does that belong?—I do not know who is the proprietor. Then there is Shelton-court, of which Mr. Thomas Flight is the landowner.

3036. Mr. Alderman *Lawrence.*] Is he the freeholder?—I fancy that he is the freeholder of very little property. He buys up remainders of terms; he is the beneficial owner. Then there is Taylor's-buildings.

3037. *Chairman.*] Who does that belong to?—I am not aware. There is also Turner's-court. Those are four places of the kind I have referred to, and there may be others.

3038. Do you suppose that all these belong to persons possessed of means sufficient to enable them

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them to put the property in a reasonable condition for habitation?—Some of them. I have no decided opinion on that subject; some of them are able, it may be doubtful as to others.

3039. Have you put the law in force to the utmost of your power against these parties?—I think we have. When a report is made by our officers, we invariably attend to it, especially with regard to nuisances; the parties are summoned before a magistrate, and an order is obtained if they refuse to do the work; we find that is generally effectual.

3040. You have stated that, from want of cleanly habits on the part of the occupants, the places get into an unhealthy condition?—Yes, very quickly.

3041. How are you to avoid that?—I think the places are so nasty and dirty, and ill-ventilated, and so little calculated for any other than a low class of inhabitants, that the authorities should be empowered to stop the occupation of such dwellings.

3042. How are you to prevent people who are of that low class living according to their ordinary habits?—If you take away that class of buildings in the midst of a parish like ours, you take away the class of people who occupy them.

3043. In that way you remove the people, but how are you to keep the people; it is your business to keep them in the parish, and not remove them from it?—We had better be without them than with them, if they bring disease and death.

3044. I can understand that you would be glad to remove all poor people out of your parish, but I am asking what provision you can make to keep them in it, for that is what we have to accomplish?—I am unable to state that; I can only say that if these buildings are in such a filthy state, and only occupied by a low class of persons, they had better be unoccupied, and let that class of persons find residences elsewhere.

3045. If the difficulty arises from a low class of people, we want you to suggest the means by which they are to live better in your parish?—I cannot do so. I have no doubt that we have the same difficulty that other central parishes have in providing accommodation for the poorer classes. The difficulty is very great. It is a matter that has no doubt pressed upon the attention of the clergy more especially, and other persons who take an interest in the poor. Various reports which have been made, and which I need not refer to, as you are no doubt familiar with them, have described the wretched way in which a large class of the poor people of London live. For instance, in a single room the husband, wife, and grown-up sons and daughters sometimes reside together. That is an enormous evil; but how it is to be removed, I am unable to say, unless it is by building residences for these people outside of the town, as far as that can be done.

3046. That is purely a question of house-rent, the number of people who live in a room?—I think that a good deal too much is charged to these poor people, and that they might have better accommodation at the same price, if buildings were provided for them elsewhere under the Peabody system. I believe that application has been made in some instance to the Peabody trustees, not in our parish, but in other places, with regard to buying up properties, and building better houses; but they stated that unless they had compulsory powers they would be asked enormous sums for the purchase of those sites in crowded localities.

3047. Do you suppose that those people would get cheaper residences in other parts than in your part of London?—It is a very large question; but I think if provision were made for the poor on the outside of the town they might have dwelling-houses, which would pay a reasonable rate of interest.

3048. Are there not plenty of houses in the outskirts of the town for poor people to live in?—I doubt that; I am not aware that there are; I see some very wretched huts occasionally outside the town.

3049. Are there not whole streets of small houses on the outskirts of London?—I do not know; if there are, these people had better be removed there than be allowed to fester in the centre of the metropolis.

3050. Why do they not go there if they can get house-rent cheaper than in your district?—I do not know. I believe in many instances they are almost compelled to live in the neighbourhood of their work; but if there were no residences for them, the masters would be obliged to submit to their living outside the town.

3051. Then they reside there for their own convenience?—To be near their work; no doubt for their own convenience.

3052. Your parish is a union of itself for rating purposes?—It stands alone.

3053. If you could remove those people you would cease to be charged with them in the poor-rates?—I do not know that we should, because they might get a settlement; I do not put it upon economical grounds; I do not wish that the parish should be saved anything in rates, but I say that if these people can only live in filth and wretchedness they had better go elsewhere.

3054. The practical difficulty would be, having regard to the change in the law with reference to removable paupers, you would be for 12 months relieved of all charge in respect of these people?—That might be the result; but if it were desirable that the removal should take place, there might be a provision that the parish should bear a portion of the burden connected with the removal.

3055. Would you think it equally reasonable that your area of rating should be extended for the relief of the poor?—That is not a question that I have gone into or considered at all, but so far as I have any opinion on the subject, I think the rating should not be extended; that the area should be as it is; that the area in our parish should be confined to the parish, and not extended.

3056. You think that all these people should be removed out of your parish, and be made chargeable to some other parish, but that your rate should remain local?—I think that our rates should remain local under any circumstances.

3057. Do you find in the administration of the affairs of the parish that the qualification of the elected person has anything to do with his ability to carry on the administration, or his honesty of purpose?—No, I think not. The qualification is a very low one, 40 *l.* in our parish. Probably some few members of the vestry, not many, would be excluded if the qualification were higher. If the qualification were 60 *l.*, some few of those at present on the vestry would be excluded

cluded; but I do not know that there would be any special advantage in that. These men, if they have but one talent while others have ten, bring a certain amount of information and intelligence to the vestry; and I think there is an honesty of purpose about them all. I do not think there is any jobbing; in fact, it is difficult, under the present system, to accomplish anything that may be called a job.

3058. Is the qualification to a certain extent in your parish illusory, in consequence of its being upon the mere rating, and not upon the occupation; that is, are there not in your parish a great many persons who are rated at 40*l.*, but who have not a beneficial occupation to that extent?—I should say that a large majority of persons are in exclusive occupation of their own premises. There might be a few exceptions, but very few.

3059. You think that applies to the vestrymen?—I am speaking of the vestrymen, not of the parish at large.

3060. Are there not now in your parish at large many persons rated at 40*l.*, who have no exclusive occupation to that amount?—That applies to the class of houses that may be called lodging-houses. There are certain streets in the Strand, like the street in which my office is situate (Craven-street), where the people let lodgings. It is the same in Cecil-street, and two or three streets of that kind; but, with these exceptions, I do not think there are any particular streets devoted to lodging-houses. Here and there a tradesman may let his upper rooms when he lives out of town, but I do not think that prevails to any great extent.

3061. You have spoken of the Gas Act not being beneficial to the metropolis; in what respect do you consider that it is not beneficial to the metropolis, taken as a whole?—I think it was a very extraordinary thing to give the gas companies power to take 10 per cent., while in many instances they were only paying three, or four, or five per cent.; to give them the power to make such a charge for gas as would enable them to retain, or rather to create (for in many instances they have not received it before) as much as 10 per cent., and to be allowed to go back for six preceding years, in which they might have received less than 10 per cent., and to make up the dividends to that extent. I think that was prejudicial to the gas consumers. I may mention that the Equitable Gas Company have brought in a Bill during the present Session, from which it appears that their original capital was 300,000*l.*, and they have not only received since the Gas Act their dividend of 10 per cent., but have paid a very large sum for back dividends, paid off their debenture debt, and applied to Parliament for power to raise 200,000*l.*, and borrow another 100,000*l.* The question was mixed up with the price of gas. If the price of gas was a certain amouut, the dividends were to increase accordingly. It was considered that the effect would be to maintain and preserve gas at a high price, instead of lowering it according to the necessities of the day. Our vestry petitioned, and I had to appear before the Committee of the House of Lords; Lord Llanover was in the chair. Only two witnesses were examined for the Bill, the secretary and the engineer. Lord Llanover said the Committee would not hear any more evidence on the subject, and the Bill was thrown out.

3062. That had nothing to do with the Gas Act?—It has legalised a monopoly which I think has acted injuriously with regard to the consumers.

3063. Is it not a fact that the maximum price of gas by that Act was lowered?—I think it was 4 *s.* 6 *d.*

3064. Was not the maximum rate under that Act less than the maximum rate which the companies were previously entitled to charge?—I do not know; it was not so low as the parishes considered necessary, and I understand that the City have given evidence that gas can be supplied for 3 *s.*

3065. I am asking whether it is not the fact that the maximum rate under that Act was lower than the companies were previously entitled to charge?—I do not know what the maximum rate was before that time. My observation, with regard to the Act not being beneficial, had reference to the fact that it preserved a monopoly, and gave the companies a large rate of interest and back dividends.

3066. Were they not entitled to that irrespective of the Act, and did not the Act take something from them?—The Act caused the gas shares to rise very much, and it was considered to be very advantageous to the shareholders.

3067. Was it not considered advantageous only inasmuch as it prevented competition which was very expensive to the inhabitants of the Metropolis; and is it not the fact that the improved administration consequent upon that has lowered the price of gas throughout the whole metropolis?—That I do not know; I only know, by enquiry recently, that the 4 *s.* 6 *d.* has been lowered; I can only speak of the Equitable Gas Company as coming within my own experience, and their price has been lowered to 4 *s.*, but in the Act which they propose to bring in——

3068. I am speaking of the past?—It has been lowered.

3069. You say that the Act has not been beneficial?—I do not mean to say that some of the clauses might not be beneficial, but, taking it as a whole, there have been a great many objections to it, and it is not wholly beneficial to the metropolis.

3070. As far as it has gone, has it not been extremely beneficial to the metropolis in getting better and cheaper gas for the inhabitants than they had before?—I am not aware of that; in fact, I have reason to doubt it. There has been a great objection to the gas with regard to purity as well as illuminating power.

3071. Is not the standard in the Act better than that which they had before?—That I do not know; it may be so; I am inclined to think there is a higher standard, but whether they act up to it is another thing. I have very little special knowledge of matters relating to gas; I have only mentioned it incidentally.

3072. You have suggested to the Committee that this Act was obtained merely to enable some people to get money?—I say, the Act was allowed to pass in the shape in which it was, instead of being abandoned. I believe it was suggested at the time that the Act should be abandoned, but it was allowed to pass in the shape in which it did pass in order, as I understood, to secure a clause by which all the expenses of promoting it should be paid by the vestries; it was so said at the time. I know that there were not funds in the hands of those who promoted the Bill to pay

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all their expenses, and if they had not had that clause they would have been considerably in debt.

3073. Are you not aware that the Act was the best Act that could be obtained from Parliament at the time?—I dare say it was, because the opposition was so strong on the part of the gas companies, that those who promoted the Act, finding that they could not resist so powerful a body, took the best they could get, and, I dare say, the Act was the best they could get.

3074. Then what reason have you for making the imputation that it was merely for the purpose of getting money?—I believe the question was agitated whether the Bill could be abandoned or not. There was a great deal of consideration devoted to the subject, and it was thought desirable to take the Bill as it was, and the fact that the expenses of the promotion would be paid if it were taken, was an ingredient in the matter. I am not imputing anything to those who promoted the measure, except a desire on their part to do the utmost they could, but I say that the advantages derived from that Act were not so beneficial as they contemplated.

3075. Did your vestry take any part in getting the Act?—We subscribed towards it.

3076. A small sum?—I think we subscribed almost as much as any vestry. I think it was about 200 *l.* One vestry, I think, subscribed 10 *l.*, and many of them subscribed nothing.

3077. Then is it not the fact that the Act was not better, in consequence of a neglect of duty to the rate-payers on the part of the vestries and district boards?—It was a difficult thing. I do not know that they had any legal power. I think they went beyond their legal authority in subscribing as they did, but they ignored that matter and did subscribe.

3078. Is there any doubt about a vestry, which has to light the parish under its guidance, being entitled to go to Parliament for the purpose of getting an arrangement to have good light for the parish?—I believe considerable doubt was thrown upon it at the time, and it may be that an individual parish may have a right to be represented, but that is not the same as subscribing to a general fund for the purpose.

3079. Is it not the fact that the vestries took no action themselves officially, as they might have done, for the purpose of getting a reform in regard to the supply of gas, and that the matter, therefore, fell into the hands of a few volunteers, in consequence of a neglect of duty on the part of your vestry, amongst the rest, and every other vestry in the metropolis?—I do not know that it was any neglect of duty.

3080. Is it accurate, or not, to say that in each of the vestries there was considerable influence exercised by gas proprietors, adverse to the interest of the inhabitants?—That I do not know. It was not so in my own vestry. Whether it was so in other vestries, I cannot say. I know that the promoters had a very difficult battle to fight, and they fought it as well as they could.

3081. Is it not the fact, that that difficulty arose from the vestries throughout the metropolis neglecting and declining to discharge the duty which they owed to the inhabitants, of getting a proper supply of gas?—I do not know that; it may have been so.

3082. Are you aware that a Committee has been sitting this Session to endeavour to obtain an improvement of that Act of which you complain?—I am not aware of it.

3083. Are you not aware that a Committee has been sitting for some time for the purpose of endeavouring to obtain an improvement of the Act?—I have had so much to do with Parliamentary business this Session, I have had no special instructions with regard to that. I may have heard of it without being called upon to take action in the matter.

3084. Though Parliament has appointed a Committee for the purpose of redressing the grievances of which you complain, your vestry has not taken the slightest notice of it?—I will tell you what the vestry have done. They considered that the City Corporation Bill was a matter in which they were interested, because it would open the whole question. They, therefore, attended at the Guildhall, and took an interest in the promotion of that Bill; beyond that, we have not taken any action as regards any matter connected with gas.

3085. Your vestry has not thought it necessary to take any steps to obtain a redress of the evils of which you complain, although Parliament has appointed a Committee for the purpose?—They have not taken any action in the matter, except with regard to the City Corporation Bill, which they thought afforded the best opportunity to take action.

3086. If there should be any defects in that Act, it would be entirely owing to the neglect of your vestry amongst others?—It may be owing to our neglect or our not considering it necessary to take action.

3087. If your vestry knows or believes that there are grave defects in the Act which are prejudicial to the inhabitants; is it not a neglect of duty not to represent that to the Committee of the House of Commons appointed for the purpose of considering the subject?—It may be.

3088. Do you think if there had been a larger power of administration they would have allowed such a neglect as that to pass unnoticed?—I do not think that any increase in the power of administration would mend the matter. I should think any increase would be rather a defect than an amendment, not only with regard to gas, but with regard to other purposes. I desire to add to these answers that the whole question as to the supply of gas to the metropolis having been referred to a Committee of the House of Commons, and the Corporation of London having decided to incur the entire expense of the inquiry (merely obtaining information from the vestries and district boards), no necessity existed for separate action on their part.

3089. Do you not think that if the Board was larger, with a larger sense of responsibility, and a large area of administration, it would have a better sense of its duties to the ratepayers than your Board shows?—I think the Boards are large enough for any purpose of administration imposed upon them.

3090. Is it not the fact that in getting the original Gas Act, and in the present proceedings, they have been animated by a narrow consideration of expense; that they have been unwilling to provide the necessary expense to protect the interest of the ratepayers?—No, certainly not; I consider that they were very liberal indeed in subscribing. I think the amount they subscribed was about equal to the rest of the subscriptions. They

They did as much, or nearly as much, as any vestry, and more than most of them.

3091. Mr. *Tite.*] I believe that by law you are compelled to prepare and print your accounts annually?—Yes.

3092. You have not stated, what is the fact, that any ratepayer may obtain that account upon application to you, on paying you twopence?—It is so.

3093. Do many people make application for it?—Very few indeed.

3094. And you think if you sent it round to the ratepayers the same effect would follow, and that it would be thrown into the waste-paper basket?—I think most of these reports get thrown into the waste-paper basket.

3095. Any man can get the account for twopence?—Yes.

3096. Who represents you at the Metropolitan Board of Works?—Mr. Dalton, the bookseller, of Cockspur-street.

3097. I need not say that, in a parish such as yours, a medical officer would not be expected to "make things pleasant," lest his salary should be reduced?—I do not think that our medical officer has any idea of "making things pleasant;" he is an honourable and high-minded man.

3098. It has been suggested, whether he might not have his salary reduced, or be turned out, if he gave offence by making unpleasant reports?—I do not think that he would dream, for an instant, of making any alteration in his reports by any influence brought to bear upon him by the vestry, one way or the other.

3099. You suggested that you thought the arrangement of having one large parish, and one district board, produced as much responsibility as any system was likely to produce, and that, in truth, the local interest which men took brought amongst you a body of persons which you did not think an enlarged system would produce; is that your opinion?—It is.

3100. Mr. Dalton, who represents you at the Board, is known to be a first-rate tradesman?—Yes.

3101. He is a man of good ability, but I suppose there are poor men in your vestry who do not occupy a house worth 300*l.* or 400*l.* a-year, who are quite his equal in ability and activity?—I have no doubt there are some of equal ability and activity, and there are some below those who are nevertheless useful men, although they may differ very much from Mr. Dalton, and from others in the vestry.

3102. You do not think that, whether a man rents a house of 400*l.* a-year or 40*l.* that makes any moral or natural difference?—Of course one generally considers that a man with wealth is more independent, but I believe that the larger mass of the population of London are honest in their purposes, although their incomes may be limited.

3103. And it does happen that a great deal of the management of the metropolis in its vestries and churches and so on, does fall into the hands of working tradesmen?—No doubt; and I do not think you would ever get any other class who would do the work, or who, if they attempted to do it, would bring the same amount of intelligence and ability to perform it.

3104. Do you know anything of the Corporation of London?—I do not.

3105. Mr. Alderman *Lawrence.*] With regard to the removal of persons in rooms where fever has existed, what do you do in your parish with those fever patients?—I was asking that question of the medical officer of health within the last few days, and he said that hitherto they had been able to get these persons into the Fever Hospital; but what would be the result in an extended period of time, he was unable to say. Hitherto the Fever Hospital, although their space was very limited, had taken in all the cases that he had sent. We generally prevail upon poor families to let the patients be sent to the hospital.

3106. Do you pay for the support of the patients in the hospital, or do you contribute an annual sum?—I am not able to say positively, because the administration of the funds with regard to the poor is not under my management. I believe that we pay so much a head for the time the patients are in the hospital.

3107. Supposing in your parish, being a union in itself, a great fever or epidemic were to break out, what means have you of meeting it?—I think the question will be best answered, if I refer to the time when the cholera broke out. The inhabitants, and the guardians, formed themselves into committees, and made arrangements, and I believe there was accommodation fitted up in the workhouse, but those are matters on which I cannot well speak, the management of the poor not being under my control. I merely get a little incidental information now and then, and cannot pretend to speak very correctly on the subject.

3108. In your workhouse you receive the sick patients of the parish?—Yes; there is, I believe, an infirmary in our workhouse.

3109. Mr. *Sandford.*] In the case of a defective water supply, or a defect in the sewers or drains, does your medical officer report to you?—Yes.

3110. Have you any power to make any alteration?—Yes; considerable powers.

3111. *Chairman.*] Is the election of your auditor a direct election of the whole parish?—No; it is a ward election; there is an auditor in each ward. The notice is to elect so many vestrymen and an auditor for each ward.

3112. Then you have three auditors?—Three auditors.

3113. Do they all attend?—I do not know; I believe they usually give a good attendance; very likely the accounts may be signed by two, instead of three. I am not quite certain whether they all sign the accounts.

3114. Would there be any inconvenience in electing a member for the Metropolitan Board direct by the ratepayers?—I do not know that there would be any inconvenience; it might cause a kind of excitement in the parish; perhaps there would be a little ambition to serve on the Board. There might be canvassing, and the natural effect of that very often is that you do not get the best man.

3115. Do you think that a person of great distinction in the parish would be likely to stand as a candidate for the Metropolitan Board who would not stand as a candidate for the local board?—No, I think not. We have elected Mr. Dalton; we elected him at the commencement, and we have done so ever since, I believe, unanimously. Sometimes the vestrymen have asked explanations, and inquired whether this thing or that had been done properly, but he has always satisfied them in the main. I do not think you could get a more fit man in London.

3116. Do you think that the mode of electing

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vestrymen, or the mode of electing guardians for the relief of the poor is the best?—I do not know that the mode of electing guardians for the relief of the poor is objectionable; I do not know that it matters very much which is mode adopted.

3117. There a paper is sent?—Yes; I do not know what is the proportion of men who vote, as compared with the voting papers that are sent; I fancy a small proportion.

3118. Are the same persons guardians and vestrymen in your parish?—A great many of them; there is a certain class of men who, in all parishes, seem to be willing to serve parish offices. They begin by being overseers, then they become vestrymen, and then guardians; sometimes they fill the three offices at the same time, but that is the general gradation.

3119. Would there be any advantage in fusing two boards into one?—I am not aware that there would be.

3120. Would there be any economy in administration by having two boards, instead of one, for the whole administration of the parish?—There might be some economy, but I do not know that there would be much. I think the economy would be slight; the duties are different, especially as regards the poor. I think the management of the poor should be in all cases under a district board.

3121. If all the duties were under one board, do you think they would be too onerous?—I think so; I think the more you divide the responsibility, the more efficiently the duties are performed.

Monday, 4th June 1866.

PRESENT:

Mr. Ayrton.	Mr. Mill.
Sir William Gallwey.	Mr. Sandford.
Mr. Hugessen.	Mr. Tite.
Mr. Kekewich.	Mr. Turner.
Mr. Alderman Lawrence.	

ACTON SMEE AYRTON, Esq., IN THE CHAIR.

Mr. ROBERT GLADDING, called in; and Examined.

Mr. *R. Gladding.*

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3122. *Chairman.*] WHAT is your occupation?—I am a Bookseller.

3123. How long have you resided in the district of Whitechapel?—For nearly 40 years.

3124. How long have you been a member of the Whitechapel Board?—I have been a member of the Board of Trustees seven or eight years.

3125. Are you a member of the Whitechapel Board of Works?—Yes.

3126. For what parish are you elected?—Whitechapel parish; the East ward.

3127. How many members are there in the Board of Works?—It consists of 58 members.

3128. What is the general character of the occupation of the members of the District Board of Works?—It consists of a magistrate, two lawyers, two or three gentlemen who are living upon their property, the superintendent of the Victoria Docks, and the rest are tradesmen. But if you call these remaining 52 persons so many hatters, grocers, booksellers, and so on, you will by no means furnish a true idea of their position in society. I have taken the trouble to go through the names, and I find that, so far as I know, there are not more than 16 out of the 52 who are not men of property distinct from their trades; and the rest, as far as I know, are respectable tradesmen. I cannot say positively even of those remaining 16 that there are not some such as I have already described; that is, men of property distinct from their trades.

3129. With regard to those who are in trade, are they generally in business on a large scale, relatively to the rest of the community in Whitechapel, or on a moderate or small scale?—Some of them are, and some of them are not.

3130. Are some of them householders of considerable rental?—They are generally men of the most considerable rental.

3131. What should you say was the lowest rental; is it very near the qualification?—I think it is very likely that it would be found that the lowest rental would be very near the limits of the qualification, but in the majority of cases it would be much higher.

3132. What is the qualification?—£.25. The members are chosen from the vestry, and the vestrymen must have a qualification. They are all vestrymen.

3133. Have most of those gentlemen been long members of the Board of Works?—The greater part are men of experience in that way. They have been connected with the Board a long time; many of them longer than I have.

3134. Are there frequent changes at the Board by election, or are the members generally re-elected?—There are changes, because there are removals and deaths, but the members are very much re-elected; in the majority of cases, they are certainly re-elected.

3135. Have you, since you were elected, had any contests at which a poll has been taken, or have the elections always been settled amicably?—I do not remember a single poll for a vestryman under the Metropolitan Acts in our parish.

3136. Do you know whether there have been any in any other parts of the district?—The district of Whitechapel consists of Whitechapel and eight other parishes; these eight other parishes in their rateable value are but little more than Whitechapel itself; of course, I know more about Whitechapel than the other parts of the district; but such contests as you speak of are very rare; there have been such, certainly, and I think a poll has been taken in one or two cases in other of the parishes since I have had to do with the Board.

3137. You have no permanent chairman of your Board under the Act?—No; our chairman is practically permanent, but he is not permanent according to Act of Parliament; he is elected at every meeting.

3138. What is the effect of that election at every meeting; is it that the same gentleman is elected every time?—Every time.

3139. Then he has all the responsibility of a continuing chairman without the recognised position of the chairman of the Board?—He has certainly all the responsibility.

3140. Do you think it desirable that he should have that responsibility without having a distinct position?—Practically we have had no experience in that matter, having always elected the same person; I really do not know whether it would be better that he should be appointed as permanent chairman; upon consideration I think it would be more satisfactory if he were so.

3141. The election for Whitechapel is not made by the inhabitants, but, I believe, by the trustees of the parish?—The election for members of the local Board is from the vestry, not the trustees; the parishioners meet and elect a vestry, and the vestry elect the members of the Local Board of Works.

3142. Has that vestry any other function in your

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your parish except the duty of electing members to the Metropolitan Board?—Yes; the vestry makes the rates.

3143. Then what are the trustees in your parish under the Whitechapel Improvement Act?—The trustees formerly made the rate; but under Sir Benjamin Hall's Act, the vestry make the rate; the trustees prepare the rates for the vestry and collect them. The vestry under the Act are obliged to make the rate, therefore they do make it; but the trustees, in point of fact, are assistant overseers, and they do all the work of rating the whole of the parish; I may say, that that has been done so satisfactorily to the inhabitants of the parish that we have had no appeal to the Quarter Sessions except by a gas company for many years; we have scarcely had an appeal, as far as I know, to the Assessment Committee, except under its own rating. The fact is, that the ratepayers meet the trustees, who are from every part of the parish; they meet them in a neighbourly way, and the questions are all settled amicably. At the same time, I beg to say that the Assessment Act of Will. 4 is not more strictly or exactly complied with in any parish in the whole kingdom, so far as I know; and I have made considerable inquiry into the matter; the rateable value is nowhere ascertained with more strict compliance with the Act of Parliament than in the case of the Whitechapel trustees; they rate the net annual value, *i. e.*, to the full amount they are empowered to do by the Act of Parliament.

3144. Is the duty of the trustees of your parish confined entirely to the discharge of the duty of overseers in making and collecting the rates?—They are assistant overseers under the Act.

3145. How many trustees are elected under the Act?—Sixty-eight.

3146. I suppose they have stipendiary officers to perform the duties of the overseers?—They have a clerk, a messenger, and collectors under their control.

3147. What is the precise object of keeping up the form of a body of trustees in your parish?—The parish consists of 35,000 people, and the rateable value is 126,000 *l.* It is larger than very many of our corporate towns, and the rating and looking after the collection of the rates is certainly an important great work. The assessment of the parish, and the collection of the rates, is looked after with very great care by the body of the trustees, which has certainly but little else to do.

3148. The fixing the amount to be collected, is determined by the warrant of the Board of Works for the district, as regards lighting, paving, and matters of that sort?—The fixing of the sum; but the arrangement of that sum into poundage, is by the trustees, and finally authorised by the vestry.

3149. At the same time there is no relation whatever between this body of trustees and the Board that spends the money, except the mere receiving the requisition, and complying with it?—So far as the general rates go. The poor-rate is a different question.

3150. The poor-rates, in the same manner, are levied by the requisition of the poor law guardians?—Yes, and arranged as to poundage by the trustees and vestry.

3151. They are another body existing in the Whitechapel district?—Yes.

3152. Is the union of Whitechapel contermi-nous with the district Board of Works?—Precisely.

3153. So that your administration seems to be divided into the Board of Guardians, the Board of Works, and a Board of Trustees to help those other boards?—There is a Board of Guardians, a Board of Trustees, and a Board of Works.

3154. The Board of Trustees to help the others?—The Board of Trustees do not so much assist those other bodies as they do the work of the parish officers, which you must know in assessing the property, and looking after the collection of the rate, would be rather a great work for four or five gentlemen to undertake in a parish of 35,000 inhabitants.

3155. Under the Parochial Assessment Act, that duty would be vested in the Board of Guardians if it were not for your trustees?—But practically we have found there would be great inconvenience in that; so much so, that gentlemen have met from the vestries of other parishes, and deputations of the Board of Trustees, and have come to their decisions with respect to the value of property, so as to save litigation. This associated committee have saved the guardians great difficulties. The Board of Trustees, not only before Sir Benjamin Hall's Act passed, but since that time, have been a very valuable body in Whitechapel in the discharge of its public business.

3156. The guardians, I think, are elected directly by the inhabitants of the parish, divided into wards for that purpose?—The guardians are elected directly by the ratepayers by means of voting papers.

3157. Is the parish divided into wards for the purpose of the election, or are all the guardians elected by the whole parish?—They are elected by the whole parish. There again we have little collision and difficulty.

3158. But the members of the Board of Works are elected by the vestry, which is elected by a totally different process?—The vestry is elected by the ratepayers at large.

3159. And by voting papers?—Under the fair old manly system, of meeting and saying what you have to say, holding up your hand, and going to the poll if necessary.

3160. Do any persons meet except the members of the vestry?—Yes; if there is any question of public interest they do meet in considerable numbers, but generally they do not.

3161. Since you have been elected, have you known a meeting of the inhabitants much beyond the vestrymen themselves?—Not much since I have been elected; but just before that time there was considerable excitement upon a public question, and there were considerable numbers of the parishioners assembled; but it is commonly said, that those who are not members of these various Boards (the ratepayers generally) are satisfied with the work of those who are so, and leave them alone.

3162. Can you explain to the Committee what particular reason there is why there should be these two totally different systems of election in the same parish for a purpose so similar as that of electing these Boards?—Do you refer to the Board of Trustees and the Board of Works?

3163. I refer to the election of members to the Board of Works, and the election of guardians for the poor-law administration.—That is by the will of Parliament. We have never seen any reason for forsaking the old plan of meeting in vestry and voting in that way, and going to the poll

poll if necessary; on the contrary, it is preferred. I think, generally speaking, that the method of voting by voting papers is not approved by the parishioners.

3164. What objection do you think prevails to the use of voting papers as compared with the other plan?—I can give you an instance in a neighbouring parish. At the last election a few weeks ago, a scripture reader was employed to go about to the electors, and get them to allow him to show them how to fill up their papers. Similar instances have occurred in other parishes and districts, where influences of that kind have been brought to bear upon persons who, in their ignorance, have done precisely what they otherwise would not have done; so that the old plan of meeting together and hearing what is to be said in the way of explanation, is the best plan after all, and this plan of voting by papers is open to the objection which I have mentioned, and to others which I could illustrate by other examples.

3165. Has the plan of voting papers the advantage, on the other hand, of bringing to the notice of each elector the fact that an election is about to take place, instead of leaving him to a large extent in ignorance of what is going on?—Yes, of the names of candidates; the fact is, that a great many do not vote at all, and many of those who do are obliged to go to their neighbours and ask who they are to vote for; they have really no personal knowledge of the claims of the parties who are candidates for the office.

3166. Is a list sent round, with the voting papers, of the persons to be voted for, or are they blank voting papers, the names to be filled up in manuscript?—A list is always sent round; the papers themselves contain a list of all the persons who are candidates.

3167. Therefore the voters know that they have to vote, and who the candidates are by that process?—They know the names of the candidates, but I think they do not know the candidates themselves.

3168. And you consider that very considerable illicit influence is likely to be exerted in selecting the names of the candidates for whom they vote?—I am sure there has been.

3169. You think that is a great objection to the system?—I think that is a very great objection to it. I think it is also a very considerable objection that you forsake an old plan that has worked very well. I do not know why we should forsake old ways that are good in their character to undertake new methods which are untried, the value of which has to be proved.

3170. With regard to the knowledge that the electors have of an impending election when there are no voting papers, do you find practically that the inhabitants really know anything about it?—Do you refer to the election for guardians?

3171. No; to the election of the vestry?—No; I think when the ratepayers are satisfied that their work is well done, they do not concern themselves; but when they have reason to take a different view of the case, they come to the vestry and do interfere. That appears to me, as I have said before, to be the old and the best plan.

3172. Being for the most part men of business, do you think that they really recollect the fact that on a given day there will be a vestry held for the purpose of electing members; that they have any real knowledge that such an election is about to take place?—Bills are posted all over the parish.

3173. What steps are taken for the purpose of letting the ratepayers know?—Notice is given, and put upon all the church doors, and the doors of other public buildings, and frequently in the windows of the shops.

3174. In that way, it is generally known in your parish?—It is known by all those who want to know.

3175. Are you satisfied that the present system of electing members of the Board of Works by the vestry is a good system, or, do you think they should be elected directly?—We have scarcely had any difficulty about the matter. For my own part, I may say that a direct election, according to the old plan of men meeting together, and seeing one another face to face, and hearing what is to be said, the ratepayers then electing their representatives for the purposes and functions which are laid upon them by law, is the best plan.

3176. Therefore, you think that the new device of electing first a vestry who are afterwards to elect members of the Board of Works, might very well be done away with, and the old system adopted instead?—I think so; although I cannot say from our own experience that we have had any very great difficulty about it, for the reasons I have given, that the ratepayers have been generally very well satisfied with the men who have served them.

3177. I believe you wish to make some statement to the Committee?—Yes; "The Whitechapel Improvement Act" was passed in 1853; by that Act the Board of trustees was brought into existence; that Board of trustees consists of sixty-eight members, who were to be assistant overseers for all the purposes of rating and so on, and were also to perform all those works which are at present performed by the Local Board of Works. That constitution was in operation for two years before 1855, when Sir Benjamin Hall's Act was passed, and during those two years the Board of Trustees worked well, to the satisfaction of the parishoners; the streets were extensively paved, and the death-rate and the fever-rate fell; the Board worked to the satisfaction of the rate-payers and inhabitants, because it worked in accordance with what they deemed to be the principles of self local government, which they hold to be, either the rate-payers themselves administering their own affairs, or those affairs being administered by persons who are in connection with them, who are known to them, and are in daily and hourly intercourse with them, who are in every part of the district, and see and know all the common wants of the inhabitants; that is what they deem to be local self-government, and anything other than that they hold to be not local self-government at all; these persons being so intimate in their intercourse with the parishioners, the system, as I have said, worked exceeding well; however, it was the will of Parliament in two years that that body should be, in the more important functions it had to discharge, superseded by the Local Boards of Works in our district, and by the vestries in other districts; when the Act came into existence, the trustees were not quite satisfied, on the grounds which I have stated, because they thought that the smaller the district, the more intimate their connection with the wants of the district must be, and so the administration of its affairs would be more perfect than it could be by any enlarged method; however, the enlargement was not a very great one, and therefore it be-

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came satisfactory to the inhabitants, working as it did upon the same principles, as nearly as possible, as those of the body of trustees, the new Board being still composed of a very large number of the ratepayers, who are from all parts of the district, and in contact with all the people of the district. Upon that point I may say that the trustees are satisfied that the carrying out of that principle of enlargement any farther would be injurious to the public interests. The grouping together of a district like the Tower Hamlets, for instance, must be in its character rather harmful than otherwise with regard to expense, because the whole of these parishes, taking Whitechapel as the average, would be about the same; that is, the rates per pound would be about the same throughout. Therefore, whilst they are unable to bear greater burdens, they would have to incur greater expenses; for if you remove these large bodies which have at present the public affairs in trust, you must hand the so enlarged district over to paid inspectors, who would of necessity be so numerous as that the cost must be greatly increased. I am sure the Committee understand that the members of the Board of Works are very numerous at present; they are everywhere in the district, and are, in point of fact, unpaid inspectors.

3178. That is in their ordinary vocation, walking about their own neighbourhood, with their eyes about them, they do the work of inspecting the condition of the streets and other local matters?—That is precisely so, and having to bear their share of the public burdens, which, of course, is very considerable, they are not only unpaid inspectors, but they are judicious inspectors. Now, if you go from that system to an enlarged one, the result will be unsatisfactory both in respect of the principle of local self-government and more expensive. At present the ratepayers are in contact with those who serve them, and they can easily go to the office, and enter any complaints which they have to make; but if you take the Tower Hamlets, for instance, as the area for a new district, and if you put the town-hall in the centre of the district, ratepayers having complaints to make, might have to travel three or four miles, besides losing the benefit of the intercourse which they at present have with those who control and manage their affairs. I have stated to you the personal constitution of the Board of Works of Whitechapel, and if it be the same in other places as in Whitechapel, it would appear that that which is at present publicly spoken of, that is to say, that the persons who constitute these Boards are inferior to the requirements of the case, is altogether founded upon mistake.

3179. Before you go into that subject, do you think that there is no intermediate step between the range of the Board of Works of Whitechapel and the entire Tower Hamlets: is it a question of degree what should be the area for local administration?—My experience, and the experience of the trustees comes to this, that the smaller the area, under what we call, and what we believe to be local self-government, the more perfect will be the administration. If you take an area not so small as to spend too much money in establishment expenses, the work will be more perfectly done than it could be upon an enlarged scale. Our opinion is, that instead of having the area larger it should be smaller.

3180. Your view is that you have reached the utmost limits of good local administration in the area of the Whitechapel district?—Quite so.

3181. And that an extension would not improve, but would rather deteriorate the efficiency of your administration?—It would decidedly injure it, is our opinion.

3182. Have you considered what the relative cost of a central administration would be with a larger area than your own; would there be any economy in that respect?—We consider that the cost must necessarily be greater, because if you remove those who are really unpaid inspectors at present, I mean this large body of members of the local Board of Works, unless for such a district as the Tower Hamlets, you enlarge to such an extent as to have 500 or 600 persons in a common council with their committees, and so on, unless you do something of that kind, making an enormous body of that sort, the number of paid inspectors must be very greatly increased, so as to more than compensate for the present expenditure in the smaller districts.

3183. Without reaching to so large a number as that, do you think you could attain a number equal to the present vestry of Marylebone without inconvenience?—I have no experience with regard to the present vestry of Marylebone, but we go upon the experience we have had; we take the body of trustees who performed these functions before in half the area; we take the body of the local Board of Works in double the area, and we say that we believe that the method of the board of trustees under the administration as it was, would have been at this time, if carried out, more perfect than that of the local Board of Works.

3184. Then you would have had twice the expense of a central office, a central establishment with a clerk, head surveyor, and other persons?—Not quite; I will tell you why. Of course you want a clerk, but a clerk would not be paid so much as he would be in an enlarged body. When you come to the other officers, you will find that there would not be much difference. Take the case of the surveyors, for instance; we have three surveyors, one head surveyor, and two assistant surveyors. These three would do for the whole area, if it were divided into two, or perhaps you might make the number four. So with the inspectors; the same number of inspectors would answer the purpose, although you might divide the area into two parts; so that the expense would not be doubled.

3185. Do you think it contributes to good administration to have at the head of it one man of superior intelligence, tolerably well paid, instead of having a number of less paid officers, without the chance of getting a person of the same standard at the head?—You are referring, I suppose, to the clerk, to the legal adviser.

3186. The chief surveyor, for example?—We do not want an architect and surveyor of very superior character in his profession, because the work is of a simple kind. We do not want a man of very great talent. What we want is principally a man who is willing to give his attention to the work; a practical man whose knowledge extends to those simple things that we require him to perform.

3187. Do you think that the principle of personal supervision and inspection, on the part of the members of the board, could be sustained to the extent of doubling your area of management; if you had double the number of the members of the present Board of Works?—No, I think not.

Of

Of course you will find among gentlemen of that sort, some more objectionable than others. Now, if it should so happen that in one half of the district you have a better man, and in the other half a less able man, you would find that the difficulty which you suggest will arise. I, for instance, know the parish of Whitechapel intimately, but when you take the whole district, I cannot pretend to a knowledge of it.

3188. Is not that difficulty obviated by the election by wards, or in small parishes, where the parishes are small; so that everybody is more or less localised throughout the district; every member of the Board is more or less local?—That is partly so; but I do not think it is entirely so, by any means. The plea put forth, so far as I understand it, in almost all the complaints that have appeared before the public with regard to the persons who form these Boards, is a want of respectability in circumstances, and the want of ability. That, I have, I think, already fully answered, so far as we are concerned; and I think the same may be said with regard to other places. But with respect to the work of men who undertake to represent their neighbours, in caring for their wants, the wants which are common to the whole neighbourhood, I wish to say that if you take these parties who are the most influential and the most wealthy in the various districts, you will find them to be persons who do not live in the districts at all, but simply come in at 10 or 11 o'clock in the morning, discharge their own affairs, and go away at four, and practically know nothing about the district; practically (at least we find it so) those persons who have the management of their neighbour's affairs, are just the very persons who are the most fit, because they live in the neighbourhood, and know its wants. If you take the City of London, I believe it will be found that precisely the same thing occurs. The men of the largest influence are not the men who undertake these duties; but the men who do undertake them, do so very successfully.

3189. That arises from their being resident in the district?—From their being more intimately connected both with the property and the people of the district.

3190. The observation you have made would seem to be more peculiarly applicable to a parish like your own, which is of a central and business character, and would not apply to the parishes more in the outer parts of the metropolis, where people generally reside as well as carry on their business?—The parishes in the outer parts of the metropolis consist of those very persons who come from us, to a very great extent, and whilst their knowledge of their own district, where they carry on their business, is comparatively small, they take no interest in the places to which they go, and do not undertake public duties there.

3191. Still your observation would only apply to a few parishes in the centre of London, and to the City of London itself?—The people do not take any interest in the places where they reside, because their main interests are not there.

3192. Then people of that sort, between two positions, are not effective for the purposes of local government?—I think, for the purposes of local government, people of that sort are generally the least effective. I wish to relate some facts relative to the management of the Board of Works since it has been in existence; we are here as trustees to testify to the value of that Board, and to express our satisfaction generally with its work. In the first place, I wish to point out, as a matter of fact, that the law does not contemplate a very speedy kind of reform, especially in sanitary matters; the law simply lays down that the Board may do certain things, but it does not provide that they shall do those things. With respect to the district of Whitechapel, it is fair to say that the law was taken in hand by the district in an earnest and proper kind of way; but if you were to take such parishes as those that have but one inspector, and say, "Why do you not have more inspectors to go through the whole district, and to know its wants, and search out those things which are nuisances and evils?" they would answer you in this way: "The law provides that we shall receive complaints and not seek out the reasons of them; we are to receive complaints, and the reports of the medical officer, and upon those complaints and reports alone are we bound by law to act." I think that ought to be stated in relation to things that have been very publicly said with regard to the want of efficiency on the part of these Boards.

3193. Do we understand that it is your opinion that if a medical officer of a board were to search out for nuisances, it would be prejudicial, because he would not be able to form a proper judgment, but that he ought to wait until a complaint is made, and then to act on behalf of the board?—I should be sorry to be mistaken on that point. The Whitechapel Board of Works came into existence, having a medical officer, a man of great experience, and I should like to show you the first report that he made, by which you would see what an immense amount of work he cut out for himself and for the board, and which the board undertook with very great zeal to perform. I do not say that, but what I do say is, that the law itself has not provided for the work which is so necessary to be done, except under complaints that are made. Those complaints must be made by the inhabitants, or those things to be reformed must be reported by the medical officer. That is the view that some vestries have taken of the matter, and that is the reason which they would possibly allege as to why they have not done their work more perfectly than they have. The law also, as you will see, does not provide for entry upon the premises, except by permission of the inhabitants. I am not making any complaints of the law.

3194. Entering the premises for what purpose?—For the purpose of abating nuisances.

3195. Are you accurate in that respect?—The law does provide, that upon application to the magistrate, you shall have the power to enter to abate nuisances, or to enter and examine, in order to abate nuisances; but if you take such a case as that of the district of Whitechapel, where there are 5,000 houses in courts and alleys, and small streets, which require a constant supervision on the part of the medical officers and inspectors, and the members of the boards themselves, you will see that if you had to apply to a magistrate for power to enter, the work could never be done at all. The work is done, and practically we have no very great difficulty, simply because the inhabitants are loyal, and put no very great obstacle in the way; but still that is the law of the case.

3196. Do you think it will be advisable to give to an officer, upon his own authority, the liberty of

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of entering houses of small value or small assessment?—I am now only wishing to state what the law is, in order to show the reason why the work is not so perfectly carried out as some people would have us imagine it ought to be. I do not say, nor do I wish to suggest, that any such law as that which you now indicate should be in existence excepting in this way. I do think that the law ought to empower the medical officer with proper authority to interfere in cases of dangerous nuisances, and at once abate them; but in ordinary cases I do not think it would be wise to do anything of the sort. With respect to the provisions of the law, it is found that in order to abate a nuisance (and that, of course, as you know, is one of the most important functions that this board or any board can have to accomplish), there is no safe way of going about it but by applying the "Nuisances Removal Act." The power which we have under our own acts is partially inoperative. First of all, you must serve a notice; then you have to serve compulsory notice; then you go to a magistrate and lay your complaint; that is, the inspector does so. When you have done that, the magistrate issues his summons, and if the nuisance is not abated he issues his order. All this takes so much time, that sometimes, in order to repress one nuisance, the time that elapses must be two or three weeks at least. I am only stating this to show that there is a difficulty in carrying out the work under the law as it stands. With regard to nuisances that are removable by drainage, we have power; but difficulty arises here, although we have the power under the Act to remove any evil or nuisance of that description, by performing the necessary work, the owners of the property are either obscure or unknown, so that when the work is done, we cannot recover the money. I do think with regard to this subject that the law should enable us to do the work and to charge the expense not upon the owner but upon the property; if it were known that we could, when the work is done, charge the expense upon the property itself until the money is paid, I think a very great deal of time would be saved, and a very great difficulty would be removed out of our way.

3197. *Chairman.*] When you speak of charging it on the property, do you mean that you should interpose and receive the rents, or by some process have a fixed charge for the amount?—I should not care much how it was. The evil of which I am now complaining generally occurs in what we call small property. There is a power to receive a year's rent, but that is by no means sufficient for the purpose, for in many cases work is to be done which costs 30 *l.* or 40 *l.*, and which could not be done for less, having the public safety in view, and all that you would recover from week to week would not be more than 10 *l.* or 12 *l.*

3198. When you say that the owner of small property is not known, is not the owner, or some person who is called the owner, assessed to this property by compounding for the poor-rates?—The owner is assessed, but in all probability he never makes his appearance at all. He collects the rents by an agent, and when you want him you are answered by all kinds of evasive excuses, and by the time you have got at him, served the notices, and so on, a very great deal of time has been lost. The nuisance in the meantime goes on, or, after all you have done, your remedy is not sufficient, because the property has changed owners.

3199. As regards collecting the money, how i there a greater difficulty in collecting the claim upon him than there is in collecting the rates for the property?—The rates, of course, you can distrain for.

3200. If you had precisely the same power in getting this expenditure as you have in collecting the rates, you would have a sufficient remedy?—No, because it would be for larger amounts. In order to have a sufficient remedy, and in order to put people of that kind in a position to make them know and feel that they must pay for those improvements you want the ability to charge the expense upon the property.

3201. You have spoken of nuisances and improvements; can you give the Committee an idea of the general character of these nuisances on the one hand and improvements on the other?—Yes; I will take the Whitechapel Board as an instance, and I have no doubt it will be found to be a very good specimen of that which obtains elsewhere. The Whitechapel Board has its medical officer and three inspectors. It came into existence in 1855, and in five years after this body had been at its work there were 3,000 cesspools destroyed, and between 2,000 and 3,000 houses brought into connection with the sewers by a proper drainage. The death rate fell precisely in proportion to the works, and so did the fever rate. The medical officers of the district visited 1,900 cases just previously to the passing of the Act, and in five years these 1,900 cases fell to 192, showing that the amount of death had become much less, and that the amount of physical suffering and distress was immensely less than it had been before.

3202. Is that the chief character of the nuisance to which you advert; namely, insufficiency of drainage?—That has been one of the principal things. We have houses also that we have to look to, which are in a bad state of repair, that want cleansing, and so on, but no doubt the great monster nuisance was the insufficiency of drainage.

3203. But that being once accomplished is done for ever?—That being once accomplished is done for ever; and the consequence is, that the district is in a better state and more easily managed than it was.

3204. What is the continuing nuisance which you have to abate?—Several; but the great evil at the present time is the overcrowding, and unless something is done by Parliament to prevent that mischief, the fever rate, which has already risen very considerably, will rise still more. The people are pushed together in heaps. There were 750 persons turned out from houses only the other day in our district, almost all of whom are in the very same neighbourhood, and within two or three hundred yards of the place from which they were turned out. They have crowded into other houses, and are poisoning one another.

3205. That is not a question which affects houses in any way, the property itself, but it is merely the result of the occupation of that property?—It is an evil which occasions fever and other diseases to a fearful extent, and requires to be interfered with by Parliament itself.

3206. With regard to the property itself, does it remain in a foul, dirty state, so as to require constant supervision?—I have already said that there are five thousand houses in the district, which covers somewhat over 400 acres; five thousand houses in small streets, courts, and alleys, requiring constant supervision. That is maintained

tained by the medical officer and the inspectors. In three weeks the inspectors pass through the whole of the district, and make their reports to the medical officer day by day, and at the end of the inspection of the whole district once in three weeks.

3207. What is it they have to inspect, apart from the question of crowding?—They have to inspect the want of proper water-closets, the want of a proper supply of water, a proper supply of dust-bins, the proper character of the public dust-bins, and the street cleaning. In that district there are many houses which could not be built now, because the Act of Parliament would prevent it. They are built back to back, so that there are no proper yards, and we have 150 or 160 public dust-bins provided in the streets or courts to receive the refuse of the inhabitants, because they have no place for it in their own houses. It is necessary to keep up a constant supervision, to see that these dust-bins are emptied every day. It is now decided that they shall be emptied every day, to provide against the accumulation of decomposing filth, which has caused fevers and other mischiefs in times past, but which, under the present management, cannot exist, because, as I have already said, the inspectors have their attention drawn to these things, and the members of the board are themselves in every part of the district to look after the work.

3208. Is it your view that the inhabitants of these 5,000 houses are themselves so negligent of the ordinary conditions of cleanliness, that they require to be looked after, and that they will not take care of themselves?—A great number of these are poor Irish people, and many of them are so poor and ignorant, that if you make their places clean and decent as possible to-day, in three months they will be in a most filthy condition; it is therefore perfectly necessary that the people themselves should be looked after. Their places and streets may be clean in the morning, but before mid-day they will be covered with ashes, cabbage-leaves, and so on, although they have provision made to put their refuse in. I do think that the public mind even in its lowest grade is being educated to a better condition; still there is a great work to be done, and we are obliged to issue our notices, and to threaten with punishment those who do these things. I believe that, in the course of time, this kind of evil will be more and more abated as public education extends. I may mention a circumstance which occurred the other day that pleased me very much: I saw in a back street an advertisement by a landlord, to the effect that the supply of water was abundant in his houses of the poorest description. I felt sure that the public mind was being brought into a better condition, because I am quite certain that a few years ago such a thing would not have been mentioned as recommendatory to the premises. But the poor people themselves are becoming more alive to their wants in sanitary matters than they were before.

3209. Have you anything more to say about overcrowding?—The overcrowding is of a very dangerous character, and I believe it to be one of the greatest reasons (excepting those causes, like the weather, over which we can exercise no control) why we have more disease. I feel sure the people do injure and poison one another by their close proximity. They are injured by the great railways and other operations that are called improvements. The rents are higher than they were before, and therefore the overcrowding on the part of the very poor becomes more necessary to their circumstances than it was. They think that they are obliged to get together in great numbers, because of the increased expense of lodging.

3210. Can you suggest any means of abating the evil of overcrowding?—I think it would be right that there should be a provision similar to that in the city of London and the city of Dublin, that powers should be placed in the hands of the local Boards, to register and establish certain conditions in the case of houses let out in lodgings at 3 *s.* 6 *d.* or less per week. If that were done this over-crowding would be prevented to a considerable extent, because persons would know that they were placed under a law which would impose a penalty upon them if they let out their places for numbers that would be injurious to public health.

3211. Is that provision under a local Act in the City?—Yes; and in the city of Dublin it is also brought into existence. I think that some such provision in the local Boards would be of great service to us in that respect; but what I do feel is, that some legislative interference is required with those great bodies themselves, to compel them to make provision for the poor whom they turn out of their houses in such large numbers.

3212. Do you mean the railway companies?—The railway companies especially.

3213. Do you not think that the builders in the metropolis are sufficiently active to build all the houses that are wanted for the people?—That has not appeared to be so. There are rooms now about us letting for 2 *s.* 9 *d.* which were formerly let for 2 *s.* One would think that such a circumstance as that would provoke the enterprise of which you speak; but it requires to be carried out not in the old way; and perhaps that is one reason why it is not done. There is no room to build small houses in such neighbourhoods. The only way to improve, as far as I can see, is for the public companies themselves to build larger and higher places than private speculation generally reaches to.

3214. Where would you have the companies build these large houses?—There are many places where they pull down houses to a greater extent than they absolutely want for their own purposes, and upon these spaces they might build great blocks of houses which would hold the poor in large and more wholesome dwellings than they have at present. There is one such large block of buildings in our district called the Albert Lodging Houses; and it will be found that the statistics as respects deaths and fever, and other zymotic diseases, are exceedingly low there. The deaths are few, and the cases of disease exceedingly rare.

3215. Are the rents less than the rooms that you have mentioned where the rents have been lately increased?—They are very much the same. There is another block of houses built by Miss Burdett Coutts, where the rents are lower, but the rooms are always full, and the tenants are waiting long before they can get admission.

3216. Are these blocks of buildings remunerative?—So far as I know they pay a fair percentage.

3217. You think by registration the local authority would be invested with the power of treating those buildings as common lodging-houses, and restraining the number of the occupants?—I think that some such provision is absolutely

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absolutely necessary; for under the present system all that you do is to shift the overcrowding from one house to the next; but if by a plan like that which I have spoken of you could compel those who let those places to confine them to certain numbers under a penalty, then the work would be done.

3218. Would not the effect be to compel the people to pay a certain house-rent more than they could afford?—I think it is likely that it would raise the rents to some extent. Still the fearful consequences of the present state of things call for even a pressure of that sort.

3219. You consider the injury so great?—I consider the injury to the health of the inhabitants to be so great.

3220. Is there any other point which you wish to state to the Committee?—With respect to the water supply, there has been a great deal of difficulty in times past. I am happy to say that the companies are coming to more amicable arrangements with the medical officers and boards, to such an extent that the mischief will, I think, be in a great measure remedied. Still, persons can in some places only collect water by going to a stand-pipe. Then, as they may have to carry it up several pairs of stairs, they will get as small a quantity as will answer their most pressing necessities, consequently they do not obtain a proper supply for cleanliness and food. But that is being very extensively obviated at the present time. With respect to the means that are required for some of the improvements, I will mention one or two points. There should be facility to abate a nuisance by doing the work at once, where the case is an urgent one. Take the case of a house, the basement of which is covered with filth from a water-closet. There is no way of abating that nuisance as the law stands, without an application to a magistrate, and long waiting, that is, if the house happens to be already connected with the sewers by drainage, you are not able to abate the nuisance, otherwise, than by the roundabout way I have mentioned. In a case like that, where there is great danger to the health and lives of the inhabitants, I feel something is required to empower the medical officer, either upon affidavit, or otherwise, to enter and perform the works that are so urgent. I have already stated that I think a law should exist to render boards able to make the property itself chargeable with the cost of the works necessary for sanitary purposes. In a case where a street is in more than one parish, there seems to be required power to the vestry which has the larger portion, to do the lighting and paving, and charge the proportion upon the smaller district; or a notice, as in the case of party walls, but shorter in date; and in case of dispute, reference to the Board of Works, whose decision should be final.

3221. Do you think that all questions between the different Boards as to jurisdiction, and so on, might be placed under the supreme decision and determination of the Metropolitan Board of Works?—I do not think in all cases, but in such cases as those where the Boards are unable to come to a conclusion between themselves, reference might be made to the Metropolitan Board of Works, whose decision should be final; I think that there has been a great deal said about some vestries being so exceedingly neglectful of the interests of their constituents as to leave sanitary and other matters for which they are responsible in a state altogether disgraceful. I have heard of such things, and although I believe they are not the rule but the exception, it may be necessary in the public interest to make provision against that kind of mismanagement; I think that if such a vestry were to decline the performance of the works required for public safety, there should be an appeal to the Metropolitan Board of Works upon the requisition say of twenty ratepayers in the district, or in the adjoining district, to appoint a commission consisting of 10 ratepayers to perform the work in question, and charge the expense upon the recusant vestry. I think a case of that kind would be so disgraceful to any vestry that they would not suffer it to occur twice.

3222. Do you think that any of the members of your Board are deterred from the performance of their duty by the fact of their holding this poor sort of property?—In the first place, owners of property, unless they happen to be very poor and needy ones, have an interest in improving their property, and therefore I think that such cases as those of which you speak must be few.

3223. Have you heard of any references to members of your Board, who are owners of this kind of property and who have tried to prevent the carrying out of necessary improvements?—I have heard of such persons, and they will always exist, but I think they are always overborne by the majority in such large bodies as those which constitute these boards and vestries.

3224. Do you think that there is any peculiar disposition on the part of the owners of this class of poor property to get themselves elected members of your Board?—I do not know a single person of that character who is a member of the Whitechapel Board of Works; they are almost all of them persons who can be proceeded against, and of sufficient substance to be brought to book, if necessary. With respect to a question which I did not perfectly answer just now, I may say, there is no doubt that, from time to time, members of Boards will exist who are fearful of expense, and will put off as long as they can the necessary works to reform their own property, which, as far as the public interest is concerned, requires that reformation; there are such persons, but what I wish to say is, emphatically, that the great majority are not of that kind, and that such persons are easily overpowered in their recusancy by the majority.

3225. Do you think that they have been always overpowered in your Board, so that there has not been any obstruction to the efficient performance of the duties of the Board, in consequence of some of its members being owners of property of the description you have mentioned?—I may say they have always been overpowered in our own case; I cannot speak of others, but I can speak of our own case with perfect certainty.

3226. Are there any other points to which you wish to direct the attention of the Committee?—I think that power is wanted in districts near the city to regulate the traffic, under bye-laws, approved of by the proper authorities, as in the case of the city of London; we have a great obstruction at present in the streets, from our want of power to regulate the traffic, and I think that we ought to have that power. There are some minor matters which could easily come up for further consideration, if any Bill was in existence; sometimes, for instance, it is a matter of importance to have power to remove dead bodies, where their continuance, beyond a reasonable

able time, is a source of danger; there are some minor points of that kind which might be very properly considered.

3227. In all other matters you have sufficient power for the local administration of the district?—I think, except in those cases I have mentioned, we have powers to bring the district into a state as good as the circumstances of the case will allow; I think too, in respect to the ability to pay, some regard should be had to the ability of the ratepayers in the charges laid upon them.

3228. Do you think that you could yourselves superintend the supply of gas to your district, or would you, from its being interlaced with other districts, have to unite with them in making arrangements to supply good gas?—If you take a district like ours, 400 acres in extent, I do not see, though I have not thought of the question, why we should be unable to supply it with gas cheaper and better than at present.

3229. Would you be able to set up a factory in your district?—I should not wish to do so; I would rather set up a gas factory outside, and bring the mains in.

3230. Would it not involve relations with other districts than your own, in order to supply gas economically, if you should desire it?—Yes.

3231. There is no gas company that is conterminous with your district; the companies that supply it supply other districts as well?—They supply other districts as well as ours.

3232. Therefore, any question as to the supply of gas would involve a larger area probably than your own district?—I think, with respect to the supply of gas, the area would be better if it were larger than ours is.

3233. With regard to the supply of water, I presume you have no water company giving a supply conterminous with your district?—We have two water companies who supply the district, but they supply also the greater part of the East of London.

3234. Nor could you make an arrangement for your own district for the supply of water; it would necessarily be an arrangement of a more comprehensive character?—The arrangement for the supply of water to all London seems to be a matter of great necessity for the whole of the metropolis, and that upon a scale altogether different from the present. I am confident of one thing, that the water companies do not supply a sufficient amount according to the terms of the latest Act of Parliament, 30 gallons for each person, and I almost doubt if they can supply it. That is a question which opens out a most comprehensive subject for consideration.

3235. You think these two subjects would have to be treated in a larger and more comprehensive manner than could be done by a district board?—Yes; especially the supply of water.

3236. Are there any other matters to which you wish to allude?—Of course, the main drainage is a matter in the hands of the Metropolitan Board, and I think rightly so. It would be impossible for any local body to carry out a system of main drainage.

3237. Do you think that the powers of the Metropolitan Board are too extensive, as regards the local districts, or not sufficiently extensive?—I think that the powers of the Metropolitan Board should be restricted most decidedly, unless the numbers are vastly increased. I do not see how it is possible for the Metropolitan Board to carry on the functions that it has undertaken, and those that are being continually laid upon it, with the number of persons that at present form that body. I think, that in order to form sufficiently effective committees and sub-committees, the board must of necessity be greatly enlarged. If it were greatly enlarged they might undertake more of these matters that are common to the whole of the metropolis than they do; but in matters that are simply common to neighbourhoods, we think that the idea of local government should be carried out by district Boards.

3238. Considering the general effect of railway operations in the metropolis, do you think it is desirable that the local board should undertake the duty of opposing railways and other projects of that sort, or that the Metropolitan Board should undertake that duty for the whole metropolis?—I think that the Metropolitan Board could scarcely know the operation of the works in the neighbourhoods; that is to say, the Metropolitan Board as at present constituted. I think it is absolutely necessary that the local boards should oppose these works in those matters that affect their own particular interests, because they are the only parties who could know them.

3239. If these districts are represented in the Metropolitan Board, would they not all have the opportunity of moving the Board on the subject?—I do not think with such a representation as that which at present obtains, you could have a proper care for the wants of all the districts.

3240. Do you think it is necessary to make some alteration, to have a more full and efficient representation of the districts in the Metropolitan Board?—I think it would work well in many ways, if the representation was more full; I think it is too scanty; but with respect to the great works it is to carry on, I am sure if it continues as it is, it will be subject to considerable suspicion. Whether it runs into cliques or not, people will suspect it, and motives will be attributed not of the most honourable kind. A larger body is safer in that respect, as well as more efficient in carrying out the functions allotted to it.

3241. Having regard to the number in the Corporation of the City of London, in the vestry of Marylebone, and other large local administrations it would take three times the present number, that is 130. Would not that be too much for the Metropolitan Board?—By no means. I think that would be a very good representation for present purposes. I do not know what further duties will be laid upon the Board.

3242. Supposing the representation were so full, do you think that it would be desirable that matters affecting the metropolis, like railways and other operations, should be left to the charge of the Metropolitan Board rather than to each district?—I doubt even then whether it could be so safely left, for this reason, suppose the Whitechapel district, instead of sending one member, sent three, the question is, could these exercise sufficient influence upon the whole body of that board, fairly, to defend the rights and interests of the district of Whitechapel, supposing that district to be the only one affected by the railway.

3243. But suppose the railway works went through several districts?—Then it might be so, but, I think it must be regarded in the way I have mentioned. Suppose, for instance, that the Great Eastern Railway wanted to take a considerable portion of the district of Whitechapel, and Whitechapel had three persons to represent its interests in the Metropolitan Board of Works, then it would be a grave question, in my mind, whether

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whether they would carry sufficient weight in the Board to protect the interests of Whitechapel.

3244. You would reserve to the local boards the right of independent action if they thought fit?—Yes.

3245. Mr. *Mill.*] Your district comprises a large number of parishes besides Whitechapel?—Nine altogether.

3246. What is about the extent of the district?—Four hundred acres.

3247. What proportion does that form of the parliamentary district of the Tower Hamlets?—The Tower Hamlets measures, from the Isle of Dogs to Tottenham, seven miles. I do not know the acreage. Our district forms but a very small proportion of it.

3248. What is the proportion of the population of the Tower Hamlets to that of your district?—The population of the Tower Hamlets is between 600,000 and 700,000, and the population of Whitechapel district is 79,000.

3249. You are aware that by the new Reform Bill the Tower Hamlets would be divided into two districts?—I am aware of that.

3250. Consequently if the municipal district were to correspond with the parliamentary district, which is the idea, the present dimensions of the Tower Hamlets would be considerably reduced; should you still think that one half of the Tower Hamlets was too large a district for a municipal corporation which represented it to be able to attend to the local interests of all parts of it?—I am not particularly acquainted with the plans that are before the public. I do not know precisely what the proposition might be. Suppose that the proposition were that half of the Tower Hamlets should be formed into a municipality or corporation, which corporation should have the control of its police, the division of the district into parishes for parochial purposes, and into wards for ward motes, then it is fair to conceive that local self-government would still exist; otherwise it would not exist; it would be superseded, and the idea itself completely destroyed.

3251. What condition should you think necessary to render a municipal corporation elected by the ratepayers of one-half of the Tower Hamlets consistent with local government?—Nothing less than I have said.

3252. In what way would those different provisions that you have mentioned operate as conducive to local government; I do not clearly understand why it is you think that the division, for instance, into parishes and wards, would make the difference between local self-government and centralization?—In this way: you may have persons administering the affairs of others, or persons administering their own affairs, as in the case of the late vestry, and as in the case of some towns, I believe, in America, in New York, for instance, where persons administer their own affairs, and local self-government is perfect. If you ascend a step above that, where persons have their affairs administered by those who represent them, and those representatives are sufficiently numerous to be in every part of the district to be known to all those whose affairs they conduct, those persons bear the responsibility of freemen in local self-government, and they are taught continually in a school of freedom; those who are about them are also influenced by them to the same excellent results.

3253. You think, then, that supposing half the Tower Hamlets were to be formed into a municipal corporation, and into a Parliamentary district also, and that in whatever division took place of the local duties of the metropolis, that municipal corporation were made one of the units of the division for all purposes, and supposing the numbers of the body were sufficient, and were elected locally so that every portion of the district might be represented in it; you think that such a constitution would be consistent with local government?—Yes; you are now supposing something very like the City of London, which forms in its area something like what half the Tower Hamlets would be.

3254. I mean something like the City of London?—If you were to carry out the idea of the City of London, which has the management of its police, its parochial divisions and ward divisions, then, of course, I should be obliged to concede that local government would still exist.

3255. Mr. *Kekewich.*] It appears that there are three or four distinct bodies in Whitechapel, the Board of Guardians, the Board of Works, and the vestry; is the vestry the same as the Board of Trustees?—No; where a parish is large enough, the functions which are discharged under Sir Benjamin Hall's Metropolitan Act are discharged by the vestry, but where the parish is not sufficiently large, according to the ideas of our Legislature, several parishes are put together; then the parishes do not form one vestry, but the vestries are elected by the ratepayers, and from these vestries are chosen men to represent the parishes in what is called the Local Board of Works; It is no longer a vestry, but it becomes a Local Board of Works.

3256. Then the vestry is merged in the Board of Works?—The vestry, for the purpose of that Act, is merged into the Board of Works.

3257. What have the vestries to do besides; have they any other duty than that executed by the Board of Works?—The vestries have still to make the rates of the parish; the ancient open vestry, the common law vestry, met together to decide upon the rateable value of all properties in the parish; but that vestry for such purpose is superseded by Sir Benjamin Hall's Act, and the new vestry constituted under that Act fulfils its functions in making rates for the parish.

3258. Are the members of the Board of Works of a superior character to the general class of vestrymen; are they the best men you can find in the vestries?—They are thought to be so, and are chosen because they are regarded as the best men in the vestry.

3259. I think you said you never have a contested election?—I have spoken of a certain number of years since I have had to do with that body, and, with respect to the parish of Whitechapel itself, it forms almost half of the whole district, and since I have had to do with it there has been no contested election for the members of the vestry.

3260. I think you mentioned that you were very much opposed to the plan of voting by voting papers?—Very much.

3261. And you gave one instance in which a Scripture reader filled up the papers?—I gave a case in which a Scripture reader was employed to go from house to house, and endeavour to impress upon the minds of persons that they should take such and such steps, and allow him to direct them how to fill up the papers, which they did.

3262. Of course, the Scripture reader did not sign the paper?—I do not say that.

3263. With regard to the important question of

of sanitary arrangements, are you perfectly satisfied with the way in which those are carried out in your parish by the three inspectors and the medical man?—Yes; I am satisfied with the way in which they are carried out under the defective state of the law as it exists at present, but I have tried to show you some respects in which that law can be amended, and being so amended, I think it will be perfectly satisfactory.

3264. You say there is a difficulty in charging the expense upon the owner, because they are obscure and unknown?—Yes.

3265. But the name of the owner is usually in the rate-book?—All I can say is, that we have at present on our books several debts of that kind, which we are unable to recover. If I were a lawyer, I should be able to show you perhaps more technically how that is. But I know how it arises; it arises in the way I have spoken of, owing to the difficulty in getting at the persons who ought to pay this amount.

3266. It is an important question, because you are aware that all over the country there is a great difficulty in knowing how to get these nuisances removed. They are reported upon, but the difficulty, not only in London, but in the country, is in getting them removed. Now, would it not be a satisfactory way if the expenses were charged upon the occupier, and power was given by the law to the occupier to deduct the amount, as in the case of the income tax?—The difficulty arises in the case of property which is of the lowest description; that is our experience. Your reference may be to some other class of property. The difficulty does not arise with us with respect to those persons who are known to be respectable men, but with the others, of whom I have spoken. The plainest and most easy way that strikes me and others of abating the difficulty would be to charge the amount upon the property itself.

3267. What class of people does the property in Whitechapel belong to?—To all kinds of people; some who do not live in the district at all. Others do live in the district, tradesmen, and so on, but they are very diverse.

3268. In many cases are the houses the property of builders, small or great?—In some cases, small, in others larger.

3269. What sort of houses are they; are they generally three-storeyed houses, fit for lodging houses, or small cottages?—I suppose the number of warehouses and houses in the district would be something under 9,000, and of those there are at least 5,000 of a smaller kind.

3270. What description of persons live in these houses?—When I tell you that the St. Katherine's Docks are in the district, you will suppose, of course, that a vast number of houses are occupied by the poor ratepayers in the docks. The London Docks open their main entrance into the district, and of course a large number of the labourers working in those docks live in the district. The inhabitants consist of a great quantity of persons who follow trade themselves, *i. e.*, working men in those trades, and a great number of tradesmen who carry on various businesses.

3271. Do those men who are employed in the docks generally receive high wages?—Very low wages; wretchedly low in some cases.

3272. Are those houses let out to one person who underlets them, or are they let out by the owner in lodgings?—They let in both ways. They are frequently let to persons who take the whole house and sublet it. In other cases they are let to persons who themselves inhabit a part and let the rest out in lodgings.

3273. And they make a profit of it?—The person who sublets the house of course makes a profit.

3274. I daresay in many cases a man will give 20 *l.* a year for a house and let it out to lodgers for 30 *l.*, thereby making a profit of 10 *l.*?—I do not precisely know the amount of profit, but there will be a considerable profit.

3275. You have no doubt that there are cases in which a profit is made?—There is no doubt of it.

3276. Is there any open ground near your district on which houses might be built?—Scarcely any.

3277. You said that it could only be done by pulling down the old houses and rebuilding them on a different system?—In that district it would be so; the only way would be to make larger houses instead of small ones.

3278. *Chairman.*] More lofty houses?—Yes, more lofty, and in blocks.

3279. Mr. *Kekewich.*] Is there any difficulty in supplying water for sewerage?—There is some difficulty; there is no doubt when the low level sewer is constructed, which it is not at present, we shall have more facility for drainage than we have now, and although we have all the sewers necessary for the purposes of the district they are not in some cases on such levels as to render the sewage so facile as it should be. There is no doubt when the low level sewer is formed we shall have the opportunity of amending our sewerage in that respect.

3280. Mr. Alderman.*Lawrence.*] You consider that the water supply is not sufficient; not so plentiful as it ought to be in your district?—I do not think it is.

3281. Do you think that the supply of gas is as well performed as it ought to be in your district?—I do not; I do not think it is so good as it might be, and it is dearer than it ought to be.

3282. Over those matters you, as a public body, have no control?—As respects water we have control in this way: we can enforce a supply of water through the landlords, but there is a considerable difficulty, because when you come to enforce that supply the water companies raise obstacles; but I said that those difficulties are being removed. For instance, we had the supply of what is called a stand-pipe, by which persons were able only to obtain a certain quantity of water during some two or three hours. In many cases we have now a machine which the water companies have allowed, they having adopted the representations of our medical officers by what is called a "water-waste preventer," by which poor people in courts and other places are supplied with a continual supply direct from the main. That is a very great improvement, which we wish to see very thoroughly carried out, but which can only be carried out as the law stands by an agreement between the owners and the water companies.

3283. Over the police I believe you have no control?—None whatever.

3284. And as to the regulation of the traffic, do you consider that you have a sufficient number of police in your district to carry out your requirements in that respect?—So far as they can do it.

3285. Do you consider that you have a sufficient number of police for your district?—It is

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difficult to find a policeman when you want him. With regard to the regulation of the traffic, unless we had some means of doing it without the police, I think the number is scarcely sufficient for the purpose.

3286. You think if there was any regulation of the traffic, more police would be required, or that other persons should be specially appointed to assist in regulating the traffic?—I think that probably our own officers would be able to undertake such cases. Of course difficulties would arise in certain well-known spots, to which it would be easy to direct attention, without any additional expense.

3287. Do you, as a public body, look after the smoke nuisance in your district?—We have tried to look after it. We have tried to move the police in some cases, without effect. The matter is now the business of the police, though we hold a power under the Whitechapel Improvement Act, which we have put into execution only in one or two cases, because it was so expensive to carry out. The costs were so great as to render the trustees rather unwilling to take that course again. The course under the Police Act is more direct, but it does not seem to be very easy to get them to put it into execution.

3288. There has been a great diminution of the smoke nuisance in your district since the Act compelling the public to consume their smoke?—There has been some.

3289. But there is a large amount of smoke nuisance at the present time, which might be remedied if the regulations against it were put in force?—If the regulations were put in force, I think there is more now in existence than there need be.

3290. Who are the parties responsible for putting the law in force to remedy that nuisance?—The police.

3291. And they do not put it in force?—Not to the extent which I think they should do.

3292. The new fire brigade, I presume, has been placed in your district?—They have just taken possession.

3293. I suppose that all the parishes have given up their engines?—We have given up our engine and our house.

3294. I suppose you have not sufficient time to know whether you have reaped any advantage by the arrangement?—We have not had an opportunity yet of deciding that; I may say, however, that our own engine was a good one, so good that the Metropolitan Board thought fit to take it with the house. It was almost always the first engine at any fire in the district.

3295. Have you anything to do as a public body with making out the jury list, or to whom does that belong?—That belongs to the trustees. It is the duty of the parish officers to make it out, but the trustees of the parish of Whitechapel are assistant overseers, therefore everything of that kind passes through their hands, to some extent at least.

3296. To what body does the duty of looking after weights and measures belong?—The jurisdiction of the old court leet for that purpose seems to be extinct. Practically we have nothing to do with that. I do not know whether the law still exists by which we might have to do it, but we have had no experience in that matter. I believe it has passed out of our hands by legal enactment.

3297. I believe you have had some toll-gates taken down lately in your district?—We had one taken down 12 years ago. There is one which is about to be removed at the expiration of the Middlesex and Essex turnpike trust, which runs out in the month of September. That trust applied for a continuance of its powers, but it has withdrawn the application. Therefore that turnpike will be removed; it is just beyond our district.

3298. *Chairman.*] That is the Mile-End Gate?—Yes.

3299. Mr. Alderman *Lawrence.*] Are there not a number of side-bars in connection with that toll-gate?—The turnpike trusts have no power in our district.

3300. What do you do with the fever patients in your district?—They are taken to the workhouse, and very often to the Fever Hospital.

3301. What do you contribute to the Fever Hospital?—We pay certain rates for the patients who are taken there; I think about 10*s.* 6*d.* a week.

3302. You pay per head?—Yes.

3303. According to the number of weeks they are there?—Yes.

3304. Have you schools out of your district for the pauper children?—We have an excellent school at Forest-lane, about four miles from our parish, where the pauper children of the Whitechapel district are maintained and taught, and also the children of other parishes. The school has been in existence somewhere about 14 years, and has operated greatly to the advantage of the union and the community at large.

3305. You were asked what open spaces there were to build houses upon in your district; what recreation grounds or open spaces are there where the people in your district can go?—The nearest recreation ground of any consequence is Victoria Park; there is nothing nearer than that.

3306. Is there any other open space of ground in your district?—Scarcely so. There is a considerable open space round the London Hospital, but no place where the people can resort.

3307. Mr. *Tite.*] There are no fields?—No.

3308. Mr. Alderman *Lawrence.*] Therefore, it is of the utmost importance to your district that Victoria Park, and its neighbourhood, should be kept from nuisances of all kinds?—Of very great importance, no doubt; there can be no doubt whatever that increased spaces of that kind are required for the purposes of health. I believe it will be found, upon careful inquiry, that the crowding of people together is injurious, not merely as it respects the number of feet which each one occupies, but you increase the evil beyond certain dimensions, although the people may have, each one for himself, as many feet as before; therefore, the larger you make a town the more you require these open spaces.

3309. You have alluded to the dilapidated tenements in your district, houses that have become in a state almost unfit for habitation, and to the necessity for obtaining some further power with regard to them; do you think that more power ought to be obtained, by which tenements, when they have arrived at that state which you have described, might be ordered either to be fully restored or to be pulled down altogether, and treated as places unfit for human habitation?—I think that the power I have spoken of would give us ample opportunity to do all that is required. If such power were conferred upon the Whitechapel district Board of Works we could then go in and perform all such works as were required

required for the healthfulness of the habitations and the interests of the public.

3310. Mr. *Mill.*] Do you not think that Parliament would be more easily induced to grant such powers to a larger district than to a smaller one?—I do not know why it should.

3311. Mr. Alderman *Lawrence.*] I understand that you wish to have power, in the case of a house in an unfit state for occupation, to compel the owner to put it into a fit state, or to put it in such a state yourselves, and hold it until the property has paid you for the outlay?—We have that power to some extent already, but it is by so difficult a process that we want a more simple and effective method. That which I have already represented to you is the power to put a charge upon the property for the expenses which the Board have incurred. I think that power would be sufficient for the purpose.

3312. You have stated, that a large number of houses have been drained; do you know the number of houses in your district that are not drained?—I should think there are scarcely any.

3313. Sir *William Gallwey.*] Have the police the power of pulling down a house that is unsafe for habitation, and do they not exercise it?—Yes, with respect to the weakness of the walls, it has nothing to do with sanitary arrangements; the police have power in respect of the weakness of the walls.

3314. Mr. *Tite.*] If the house is dangerous?—Then they have the power to interfere and pull it down.

3315. Mr. Alderman *Lawrence.*] I think you stated, that people having large factories in the district, and being engaged in extensive businesses, who reside elsewhere, are not the most likely to take an interest in the local matters of the district?—Yes, and I say, moreover, that they are not the persons who are well adapted to administer the business of the district, because they cannot know its wants.

3316. Do you think that the idea which is very much promulgated, that retail tradesmen are the most unfitted to manage local matters, is fallacious?—Perfectly fallacious.

3317. *Chairman.*] When do you generally meet, in the day, or at night?—At six in the evening, except in the case of committees for special purposes.

3318. Mr. Alderman *Lawrence.*] What improvements have been carried out in your district, as to new streets, or improvements of any kind, within the last few years?—The great improvement made in our district, was in the case of the Commercial-street. A new street is about being formed from the Whitechapel High-street to the Commercial-road, to do away with the danger which exists in the smallness of the street which communicates with Whitechapel High-street; that is a small street at the end of Commercial-road, westward, and Church-lane, which is a very narrow street; that is to be superseded with a good wide street from the Obelisk, Whitechapel High-street, to Commercial-road, which is a good wide road; so that Commercial-road will be brought into Whitechapel by a road as wide as itself.

3319. Mr. *Tite.*] With regard to Victoria Park, I apprehend you consider that of the greatest possible importance to that crowded neighbourhood?—It is of the greatest possible importance to the neighbourhoods that are more close to it than our own; but it is of very great importance to our neighbourhood, because great numbers of persons go there from our neighbourhood, although it is some distance.

3320. Is there not a street to it through Mile End?—That is a good deal lower down; our district immediately adjoins the City of London; you step out of the City of London into the Whitechapel district.

3321. How far do you go eastward?—Almost as far as Mile-End Gate; a few yards short of it.

3322. Do you know the annual cost of keeping up Victoria park?—No.

3323. If I suggested that it was 7,000 *l.* a year, do you think I should be far wrong?—I do not know; but it is worth any money.

3324. Mr. Alderman *Lawrence.*] Do you know where the proposed gas works are to be placed belonging to the Gas Light and Coke Company?—I do not know.

3325. If gas works were erected there, between the Lea and the Canal, do you think they would be a nuisance to the Park?—It would be injurious to the Victoria Park, no doubt.

3326. Do you think it would be desirable to have one Board to administer the Poor Law as well as the general local government of your district, or do you think it would be better to have two separate Boards as at present?—I think you absolutely require two Boards at present; for this reason; the work of the Boards of Guardians is a very onerous one, and occupies a great deal of their time; if you were to combine the Boards into one, I think you would probably throw a burden upon gentlemen who would be undertaking duties which they would find it impossible to discharge, or which they might be tempted to shirk, because of their onerous character; I think the Board of Guardians has quite enough to do.

3327. If you doubled the district, and had double the number of persons, do you think you would burden the people too much?—You would spoil the work, because it would be nobody's responsibility; at present you have persons who are responsible, and who do the work because they can.

3328. You have suggested that we might increase the number of the Metropolitan Board, and that instead of sending one person, you ought to send three, to have an efficient representation; has it occurred to you how the three had better be elected or appointed to the Metropolitan Board?—They are appointed at present by the district Board, and none can better understand the qualifications of men for the Metropolitan Board. It is a somewhat difficult question to say whether they should be appointed by the whole body of ratepayers, or by the district Board, which they serve.

3329. It might be partly by one, and partly by the other?—I think it would be a good plan if it were partly by the one and partly by the other.

3330. You think that would be best to meet the circumstances?—I think it would, because there are serious objections against both; in the one case, it is a close body electing members for important purposes for all London; and in the other case, you have persons who certainly cannot be so practically acquainted with the qualifications of the members; it might, therefore, be a good plan to elect in both ways, because in the one case, you would have popular representation perfect; in the other case, you would have the representation of parties who know the qualifications of the elected intimately.

Mr. William Henry Black, F.S.A., called in; and Examined.

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3331. *Chairman.*] Are you a Member of the Whitechapel Board of Works?—I was for some years. I am not now. I have resigned. I am a Member of the Board of Trustees, under the "Whitechapel Improvement Act, 1853" of which I was the originator.

3332. You have heard the evidence that has been given by the last witness; do you acquiesce in the views which he has stated to the Committee?—For the most part with reference to his answers to questions that have been put; but there may be some points upon which Mr. Gladding volunteered evidence, in which I do not exactly follow him.

3333. Could you call our attention to those particular points in which you do not exactly agree with him?—If the Committee will allow me, I will first state, that the object in sending me is to support those reasons which are contained in a memorial that has been widely circulated, and I believe has been put in evidence before this Committee.

3334. You need not go over anything that has been already said; but have you anything to add with reference to the points contained in the memorial of the trustees and vestrymen of Saint Mary's, Whitechapel, to Sir George Grey, which is before the Committee?—I could add nothing except to enlarge upon those reasons; I attend in support of those reasons, and, generally speaking, those reasons have been supported in substance by what Mr. Gladding has said. As I have been asked to state wherein I differ from him, I would particularly say, I differ from him in his desire for further powers to the existing Local Boards of Works; I think that they have already very considerable powers; I believe that there is a disposition among the *doctrinaires* to push some of those powers to a greater extent than is consistent with the liberty of the subject.

3335. You do not think that for the purposes of health it is necessary to have any power to enter the houses of an inferior character, and to insist upon their being made cleaner?—I think that what has been done within our own district has been, in many instances, vexatious and oppressive.

3336. And you think that the existing power ought not to be carried any further?—I think not.

3337. Is there any other point to which you wish to refer?—With regard to the regulation of the traffic, I think there is power enough already, provided there were a proper understanding between the local Boards and the police, or that we were sufficiently furnished with police. On that question I must distinctly say that the collective opinion of the trustees of Whitechapel for many years has been that we are insufficiently provided with police, and it is a further opinion that is strongly prevalent amongst us, that there should be a local management of the police; that it is inexpedient that the police should be, at least in the east of London, managed in the manner in which it is, without the slightest control on the part of the ratepayers.

3338. Do you mean you would have an independent and local police, like the City of London, for the Whitechapel district, or that the police should be constituted for the whole metropolis, and that the local authority should have some supervision over them?—It was my opinion when I originated the Whitechapel Improvement Act, and it was the judgment of the committee in 1853, that that should be a Consolidation Act to all intents and purposes; that similar acts should be passed, or similar powers given to all other parishes in the Tower Hamlets, and that they should then be united into a municipality, having its own magistrates and its own government of police. So I think it should be done with all the metropolitan boroughs. I think they should have their municipalities, their magistracy, and their police.

3339. You think that there should be an independent police for particular districts in the metropolis, and not one police for the whole metropolis?—Not one police for the whole metropolis, but for the several metropolitan boroughs.

3340. You have spoken of municipal boroughs: do we understand that you differ from the last witness in his views respecting the area of local administration?—Not at all. I quite agree with him. For, having had experience of the parish of Whitechapel under the various entire and partial local governments that were established before (namely five entire Boards of pavement, five partial Boards of pavement extending into other parishes, beside the trustees of turnpike roads, all which were abolished or consolidated into one Board under the Whitechapel Improvement Act), we consider that the experience of the past has shown that where there is a moderately small district, it is better worked than a larger one. I distinctly affirm, that the present district of the local Board of Whitechapel is not so well paved and so well scavenged now, as the parish of Whitechapel was under the old system, either before or after the passing of the Whitechapel Improvement Act; and for this reason, the number of members on the Board is so much smaller than the number of the members of the different Boards which governed that district before the change in 1855; and I infer that if the area should be increased and the representation diminished we should have a still further deterioration.

3341. You made some reference to the establishment of municipal bodies for areas larger than your own district; for what purpose would you establish them?—For the magistracy and police, principally.

3342. For any other purpose?—For any other public purposes which require a larger area than the several parishes, or in which they had a community of interest.

3343. What would the magistrates have to do particularly with the district; what advantage would there be in having a separate commission of the peace for each district of the metropolis?—There is already a separate commission of the peace for part of the Tower Hamlets, namely, the Tower Royalty, which takes only a small fraction of the Tower Hamlets.

3344. Is that any benefit to anybody?—I think so. I think it enables the administration of justice, or whatever is done by the magistrates, to be close at home, instead of rambling over a whole county.

3345. Are there any other points on which you desire to express any further differences of opinion?—I do not express any further difference of opinion, but generally speaking, I desire to confirm what has been said with respect to the necessity

necessity of a moderate extent of jurisdiction. There is this one point also, which shows the necessity of having a sufficiently large body; it enables the formation of committees. At present it is exceedingly difficult to form a multitude of committees out of a small Board. I have known instances, indeed, wherein the persons principally attending the Board of Works, and its committees, while I was a member of it, came from the parish of Whitechapel, and from the south ward of the parish in which I dwell. It is obvious that when such has been the case, we had little or no local knowledge of Spitalfields, of the Artillery ground, or of Aldgate lower precinct, and other parts which were not within our own parish.

3346. Therefore, you think it desirable to have a Board sufficiently strong to conduct the work by committees?—To conduct certain works by committees.

3347. Is there any other matter that you wish to state in addition?—I wish to state in addition to what was answered respecting the functions of the Board of Trustees, that we manage the great hay and straw market of Whitechapel. I have further to answer with respect to those inquiries, that the constitution of the several Boards, the Board of Guardians, the Board of Works, the Vestry, and the Board of Trustees, is far from being altogether an inconvenience or an anomaly, because it depends upon the great and important principle of the division of labour. There the division of labour, I think, is carried out to great public advantage and with satisfaction to the ratepayers.

3348. Do you think it is necessary for the division of labour to afflict your parish with four local bodies for the administration of affairs?—That has not been done by ourselves, but by the wisdom of Parliament; because originally our Local Acts, from 3 Geo. 3, down to 1853, comprehended all these functions. We had the management of the poor, which is now taken from us, with the exception of providing the money. We had the watch; that has been taken from us, and is in the management of the police. We had also all the ordinary civil administration of the parish; the ecclesiastical as well as the civil and financial business of the parish. All this was done by one Board of Trustees, with the exception only of the paving.

3349. Now you have four Boards?—All was consolidated, and that work of consolidation, which was done after a long struggle in both Houses of Parliament (when it was determined that the Act should be a Consolidation Act to all intents and purposes), was allowed to last only two years; and I for one think that our parish did not receive benefit from the last change.

3350. Under the Improvement Act, you were to have but one Board for everything?—One Board for everything, except our old common law open vestry, and, of course, the Board of Guardians.

3351. Mr. *Tite.*] That was three? — Yes. There was a meeting of the vestry from time to time, for the election of trustees, or for the actual making of the rates.

3352. *Chairman.*] Would you be disposed to get rid of the two redundant Boards, the vestry and the Board of Trustees, who seem to do nothing but look after the other two Boards?—By no means. The trustees have important functions. They have always plenty of business.

3353. What are those important functions?—I gave evidence to some considerable extent before a Committee of this Honourable House about two or three sessions ago with reference to a Bill that was promoted, I believe, by the Metropolitan Board of Works; and I confirm what I then said, that the financial management of the parish under those trustees has been tried by the experience of many years; and that it has given universal satisfaction; that there is enough to occupy the constant attention of the Board in seeing that the moneys are duly and promptly collected, that the accounts are properly taken and vouched, and that parties are relieved without the vexation (except in extreme cases) of going before the magistrate.

3354. With regard to the vestry, that body seems to have nothing to do but elect another Board?—The vestry could be abolished, and it would be well if its functions were transferred to the trustees. We meet also to elect the members in our wards; and with respect to the conduct of those elections, on which Mr. Gladding has been interrogated, I beg to say that it is the constant habit in our parish to re-elect the members, unless there be some very strong reason against it. Generally speaking, where there is a change, the member goes out by flux of time, or by retirement. We never have a contested election. The re-election is a mark of the confidence that the parishioners place in those to whom they commit the administration of affairs. Beside which, I beg leave to say, that, so far from having persons push themselves forward as candidates, I only recollect two instances (with the exception, I think, of some irregularities in 1855) in which a person was desirous of coming forward, being a non-resident party and the owner of property; but nobody proposed him.

3355. Mr. *Mill.*] Is any portion of the local administration of your district conducted by paid officers?—By surveyors, inspectors, and clerks.

3356. A considerable portion, I apprehend, is directly conducted by the committees into which your body is divided?—It is so.

3357. And the surveyors and other officers are appointed by the General Board of Trustees?—By the several Boards.

3358. Mr. *Hugessen.*] Is your desire to have a distinct police, in order to complete a theory of your own, or are there any practical grievances complained of by the ratepayers?—Both.

3359. Have you had complaints from the ratepayers?—Incessant complaints from the ratepayers, and incessant deputations of the trustees themselves to the police authorities.

3360. Have you placed before the ratepayers the additional expense that additional police would entail?—I am not aware that it would be any great additional expense. We think that if we had the local management of the police of our own borough, we might manage it quite as well as the Government.

3361. You would like the police to be placed under your management, paid and regulated as they are at present?—We should like to manage it ourselves; probably on the present system.

3362. Not paying for it yourselves?—Certainly we do pay for it.

3363. You pay one-fourth?—We pay out of our rates.

3364. Do you know how the City of London police is paid?—No, I do not.

3365. You do not know that they are paid on a different footing?—I do not know that.

3366. So that if much additional expense was

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to be incurred, that has not been placed before the ratepayers?—I stated in my petition to the House of Commons, on the subject, two or three sessions ago, that the City of London managed its police better than any other part of the metropolis.

3367. Is St. Katharine's Docks in your district?—Entirely.

3368. Have not the police a great demand made upon their time for that dock?—Not that I know for the interior of the dock, but the attention of the police is greatly required to keep order in the thickly populated and lower part of the district.

3369. Mr. Alderman *Lawrence.*] With respect to the voting papers, or open voting, what is your opinion?—I quite agree with what has been said.

3370. You are in favour of voting in vestry, and not by voting papers sent round to the inhabitants?—I am.

3371. What is the nature of the complaints that are made by the inhabitants with respect to the police?—Insufficiency of attendance in our streets for the preservation of peace, life and property.

3372. Do you mean by that that you have not a sufficient number of police?—We have not a sufficient number of police.

3373. Do you imagine or believe that you have not a fair proportion of police for your district, according to the rates that you pay?—I am not speaking respecting the proportion between police and money, but I say that we have not a fair proportion or quantity of police, considering the want of our vast population and vast area.

3374. In order to regulate the traffic, preserve the public peace, and look after the property of the neighbourhood, do you think there ought to be a larger number of police than you have at present?—Undoubtedly.

3375. You have been asked with respect to the City police; are you aware that they receive no contribution from the Consolidated Fund, such as is paid towards the police of the other districts of the metropolis?—I do not know it of my own knowledge, but I believe it is so.

3376. *Chairman.*] Do you transmit an annual report, or the accounts of the Board of Works of the district to the ratepayers?—They are circulated among the ratepayers annually; but since I have retired from the Board of Works, after having given a great deal of my time and attention to it in its first years, I have confined my attention solely to the trustees; and I may say that the officers of the parish, that is, the trustees under the present Act, and the trustees under the preceding Acts, did, many years before they were required by Parliament, make out and publish yearly a most precise and exact statement of all their accounts, and they have always done so.

Mr. Henry Sadler Mitchell, called in; and Examined.

Mr. *H. S. Mitchell.*

3377. *Chairman.*] You are Vestry Clerk of the parish of Whitechapel?—Yes.

3378. You have heard the evidence of the last two witnesses; do you wish to add anything to the statements they have made?—I have heard the evidence of the last two witnesses, and in substance I agree with it, especially with Mr. Gladding's evidence. I may say that the members of the vestries of the parishes in Schedule A. and B. of the Metropolis Local Management Act are chosen from the ratepayers, and one-third go out of office annually. They elect the local officers of the parish, the churchwardens, and so on; they also, in our parish, which is in Schedule B., elect the trustees, who are the overseers of the parish; instead of having two, or three, or four overseers, we have a body of trustees; they also make the rates, which are also collected by the trustees, and though it may seem somewhat anomalous that there should be another body, I may say that it is a body to which little or no expense is attached, and it does not produce the slightest inconvenience; there is merely the expense and trouble of calling the meetings; you may call it a distinct body, and fancy there is an amount of expense attached to it, but there is not; and, practically, it produces no inconvenience.

3379. Can you make out that it practically produces any good?—Yes. In the first place, it is a body that chooses the various parish officers, and it is also a check upon the trustees, for it makes the rates, and it stands in lieu of the old parish vestry.

3380. You mean, that instead of having a general vestry of all the inhabitants, it is a representative of some few?—It is a considerable representative vestry of the parish; those gentlemen have spoken more of the Board of Works. I may say with regard to the parochial system, that I consider that any interference with it would be a cause of very great dissatisfaction, and would make any Government very unpopular. With regard to municipalities, I think they would be quite contrary to the feelings of the people. I may say that I quite concur with what Mr. Mill says in his book in praise of local self-government.

3381. The question is, "What is the proper area of local self-government"?—I have lived in Whitechapel district nearly 45 years, and I am a pretty good judge of the state of that district. I am thoroughly acquainted with nearly every district in London, and I believe there is no district that is more thoroughly attended to than the district of Whitechapel. I have not been a great traveller on the Continent, but I have seen perhaps a hundred cities and towns, and I say that there is no city on the Continent, that I have seen, where the paving, lighting, and cleansing, are, as I believe, so well attended to as they are in the Whitechapel district, and also in London during the last ten years.

3382. And you think that that has been accomplished in your district with the utmost economy?—I do; I think I can show that it is done with the utmost economy. I state that the trustees take special charge of the rates, and that is a charge that one body alone should attend to. I think, if you were to have the Government collectors of rates, and assessed tax, and income tax, before you, you would find that they are more loose in their method. I do not wish to specify any persons, or any district, but I may say that they are loose in their collection of rates, and sometimes send in applications for four quarters together. Our Board of trustees meet every fortnight, and audit the accounts of the three collectors (we raise about 30,000*l.* a year); and then there is a quarterly audit, and a half-yearly

yearly audit. I believe that the Government work in the collection of rates is not so well done; but there is more care taken by the parish collections generally than by the Government collections.

3383. Have any of the other parishes constituting your district the same system of electing the body of trustees?—I think in the next parish it is the same, but I am not quite certain.

3384. Under a local Act?—Yes; it is common in many local Acts to have trustees who perform the duties of overseers. In our case there is a rateable value of 120,000 *l.*, and an Act of Parliament was applied for, under which the trustees performed the same duties as the overseers. The trustees are, the rector, the three churchwardens, the four overseers, and 60 persons annually chosen from the parish.

3385. Do you find that in those parishes in which this system does not prevail there is any deficiency in connection with the assessment of rates?—I could not speak to that; I think most of the large parishes have local Acts now.

3386. There are parishes in your district which have no local Acts of their own?—I am not quite sure; ours is by far the largest parish, forming half of the district.

3387. Mr. *Mill.*] You say that there is a great attachment in your district to local government on its present scale, in preference to the larger scale of a municipality, and that great dissatisfaction would be felt if the smaller scale were exchanged for the larger?—Within the last four or five years I have especially devoted my attention to the subject, and endeavoured to obtain the opinion of all classes of men, and I believe that any attempt to interfere with the present system would be productive of the very greatest discontent.

3388. But I do not understand that the parochial system, properly speaking, exists in your district, because it is a combination of a considerable number of parishes?—To some extent the parochial system has been interfered with, and I think to that extent it has caused dissatisfaction.

3389. You think it would be more popular in your district if the parish of Whitechapel and the other parishes comprising the district were each of them to administer separately the affairs which are now administered by the joint body?—I know that in Whitechapel it would be more popular if we were left entirely by ourselves.

3390. Some of the parishes are exceedingly small?—Yes.

3391. There are many very small parishes in the metropolis, especially in the City of London?—Yes; Sir William Fraser, in his book, says that the paving, and so on, has not improved during the last 10 years. He was evidently of opinion that since the introduction of the Boards the work had not been done so well; I can hardly say that, because I think there has been an improvement in all things; but I am certain with regard to the parish of Whitechapel, from the present information we have upon the subject, that we should have been better off if we had kept entirely to ourselves.

3392. Do you think that this is owing to the greater smallness of the district; that the smaller the district the better the pavement is attended to?—I do; but of course there is a limit to that.

3393. The parishes, however, are extremely unequal; and you can hardly say that sizes so very different can be equally adapted ot be the unit of local government?—I think that parishes may be too large; I think the parish of St. Pancras is too large, and the parish of Marylebone.

3394. You think, with regard to such a thing as paving, that it had better be conducted on a scale much smaller than the parish of Marylebone, or the parish of St. Pancras?—Yes.

3395. Do you think so with regard to all the duties performed by your Board, or only with regard to some of them?—I think that all the duties would be done better by a more moderate-sized parish; I am well acquainted with St. Pancras, and I think it is too large; a considerable portion of it, however, consists of fields.

3396. Do you think it is as easy to find competent persons to perform those duties in a small district as in a large one?—Quite so.

3397. Do you think that they are equally under the public eye in a small district; do you think that public attention is not more likely to be concentrated on the operations carried on, when the district is larger than an ordinary parish?—No; I think it is better when they are carried on on a smaller scale, provided it is not too small. There is always a local press which exercises great control, as you have pointed out in your book. If we had no local Board we should have no local press, because there would not be sufficient information to be given; but having a local press, the eye of the ratepayers is continually directed to the public affairs of the parish.

3398. You have a local press for the parish of Whitechapel?—It takes in two or three districts; it is published in Whitechapel, and it reports all proceedings of the Boards.

3399. Do you not think it desirable that there should be a considerable admixture of different classes of society in the local governing bodies?—On the last occasion of choosing an overseer we elected the magistrate; but he said, "I cannot attend to the duties." If you choose merchants, and men with four or five thousand a year, to go on to the Boards, they would not attend to them.

3400. If they do not attend in a parish, do you not think they would attend in a larger body?—I do not think they would.

3401. Do you not think that a more important class of persons take part in the local business of the City of London than in the vestries?—Not in the Common Council; I do not think that the Common Council is composed of a better class of men than the trustees of the parish of Whitechapel, having regard to the fact that the City of London is a more important place than Whitechapel. I have not seen any business conducted at any Boards better than it is conducted by the trustees of Whitechapel; I have read the reports in the debates of the House of Commons, and without claiming for the trustees as much learning, I do claim for them quite as much orderly proceeding.

3402. From your knowledge of other vestries and local Boards generally, do you think you can give the same degree of praise to all or most of them?—I frequently read the reports of the St. Pancras Board, and I think it is quite as orderly as any assembly in the kingdom.

3403. Do you think that there is as much variety of intelligence, and that large views are as much brought to bear on local affairs, as would be the case if those who take part in those affairs were of a more mixed character than they are now?—

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now?—It would not do to have all philosophers; but I believe, for the work that is to be done, the men who compose those Boards are the best that can be found.

3404. There are no other class of men, I apprehend, that could be found to discharge the bulk of the duties; but would it not be desirable that there should be a certain proportion of persons not so purely local in their ideas?—I think that the Boards are always composed of a mixed class; I have looked through the lists of Marylebone and St. Pancras, and I find that those Boards are composed of a class of men who, from my knowledge of them, would conduct the business of the parish in the best possible way.

3405. But Marylebone and St. Pancras are large parishes, approaching in magnitude the proposed municipalities, and certainly in Marylebone there is a much greater mixture of classes in the vestry than there commonly is in the vestries in London; do you think that the same character could be given to the other vestries generally?—Speaking with regard to my own parish, I think you could not have a better class of men to do the business.

3406. You do not think that it could be improved by persons of a different class being combined with them?—I do not think they would take the trouble, because a great deal of the business of the parish is managed by Committees; and my experience of men possessing large incomes is, that they would not take the trouble to attend.

3407. They do take the trouble to attend in Marylebone?—I cannot say in Marylebone; they are a highly respectable class of men as a rule. You heard Mr. Gladding's evidence in that respect. I entirely concur in what he said, and I believe the work is done as well as it can be done.

3408. Mr. *Kekewich.*] Do your observations with regard to the way in which the business is conducted, refer to the Board of Works?—I acted for some time clerk of the Board of Works, temporarily, and I can speak for them in the same way.

3409. Did your observations apply to them, or to the proceedings in the vestry?—To the proceedings of the trustees and also in the vestry.

3410. What are the functions of the trustees and of the vestry?—The vestry is a purely electoral body; the trustees have the making and collection of the rates, the making out of jury lists and preparing the lists of the voters.

3411. By whom are the overseers or assistant-overseers appointed?—The assistant overseers are nominated by the vestry; they are actually appointed by the magistrates, but the magistrates take the names of the persons given in by the vestry.

3412. They take the first names on the list?—The first names on the list.

3413. Do you know by whom the gross estimated valuation is sent into the Board of Guardians under the Union Assessment Act?—By the trustees.

3414. Not by the assistant overseers?—The trustees are the overseers; we make out the valuation lists.

3415. Do you know what means they took to get at the gross estimated value?—Yes.

3416. Do you suppose it to be a correct value?—The Parochial Assessment Act was taken as a basis, and also the Union Assessment Act; the gross estimated rental was taken, having regard to these two Acts of Parliament, and the parish was rated up to the full value as shown by these Acts.

3417. Did you ascertain the value from the actual rent of the property?—The actual rent of the property. Of course there are controlling circumstances; for instance, where premiums are paid for leases the amount is added, in order to ascertain the gross estimated rental.

3418. You know that under the Union Assessment Act it must be the gross estimated rental?—That is the term in the valuation list; but the gross estimated rental is, in fact, the rent of the property, with certain controlling circumstances; as, for instance, where premiums are paid for leases. If 500 *l.* was paid as a premium, and the rental was 50 *l.* a year, we should not take it at 50 *l.* a year, but should have regard to the premium that was paid.

3419. Mr. *Sandford.*] What is your idea of the size of a moderate parish in point of population?—The question is whether it is worth while to alter the size.

3420. What is your idea?—It would be merely an opinion: the proposal is to alter the present system, and the question is whether it requires alteration; I think it does not.

3421. I thought you said that St. Pancras was too large?—Yes.

3422. Then will you tell us what you think is the limit beyond which a parish ought not to go?—It is difficult to give an opinion that would be of any value to the Committee.

3423. I should like to have your idea of a moderate-sized parish?—I think the parish of Whitechapel is sufficiently large.

3424. What is the population?—Nearly 40,000; larger, I believe, than seven-tenths of the parliamentary boroughs.

3425. Mr. *Hugessen.*] Do you share in the police opinions of the last gentleman?—I understood Mr. Black to say that he wished to have a municipality simply for the magistracy and the control of the police.

3426. Is it your opinion that it would be well for Whitechapel to be separated from the Metropolitan Police as at present constituted?—No.

3427. You do not agree in that?—No.

3428. Mr. Alderman *Lawrence.*] Do you consider that you have sufficient police?—We have often been to Sir Richard Mayne about it. Some parts of Whitechapel are in a very bad district, but Sir Richard Mayne has told us, in effect, "I have so much a year for police, and I give you as many constables as I can." I think we have hardly enough.

3429. You think you have not quite sufficient?—I think we have hardly sufficient; but I do not know that we could have more without robbing other parishes. I do not think the income applicable to the purpose is quite sufficient.

3430. The question is really whether the police arrangements and the number of police are sufficient for the requirements of the district?—I think if there was a little increase put upon the rates we might have more police. I think it would be advantageous in many parts of London; I believe it would be so in Whitechapel.

Mr. ROBERT FREEMAN, called in; and Examined.

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3431. *Chairman.*] WHAT connection have you with the local government of the metropolis?—I represent Kensington at the Metropolitan Board, and I am a member of the vestry of Kensington.

3432. Do you reside in Kensington?—I do, and have done so for 30 years.

3433. Mr. *Tite.*] You have been appointed by the Kensington vestry to represent their interests at the central Metropolitan Board, since its constitution under the Act of Parliament?—Yes.

3434. What is the extent of the district of Kensington?—It comprises about 2,200 acres.

3435. And how many inhabitants does it contain?—It has a population of about 80,000 inhabitants, and it includes Brompton and Notting Hill.

3436. How many vestrymen have you?—Eighty-seven.

3437. How many vestrymen do they send to the Metropolitan Board?—Only one.

3438. What is the composition of the vestry?—There are 29 private gentlemen upon it, three clergymen, two barristers, one Parliamentary agent, three solicitors, three architects, one physician, two surgeons, and 43 tradesmen. The majority of those are men in good businesses and good positions. I think they as fairly represent the various interests of the district as it is possible to conceive.

3439. Is the fact of the election of members of the vestry pretty generally known?—Yes; bills are circulated, placed in the windows of the tradespeople, and posted on the doors of every place of worship.

3440. Is there any excitement or interest taken by the inhabitants of the neighbourhood?—There is no particular excitement; a certain number of persons attend, but there is no excitement as far as I recollect. There was once a contest, but there has not been one in recent years.

3441. The members are elected in wards?—Yes; there are three wards, Notting Hill, Kensington, and Brompton.

3442. They are elected, I presume, for three years?—Yes; one-third going out annually.

3443. Is it the practice to re-elect?—Generally speaking, if a man attends, and is efficient, he is re-elected. I know of no efficient man being turned out.

3444. Is the attendance ample?—Very good indeed; on an average from 30 to 40.

3445. How is the business managed; is it delegated to committees?—Yes; there is a works committee and a finance committee.

3446. I suppose the works committee undertake the examination and care of the drainage and paving?—Yes; sanitary measures as well as works.

3447. You have an officer of health, I presume?—Yes; and three inspectors, a surveyor, and a clerk.

3448. Are they all liberally paid?—The medical officer is paid 200 *l.* a year; the inspectors about 2 *l.* a week; the surveyor 400 *l.* or 450 *l.* a year, and the clerk, I think, 400 *l.*

3449. How often does your vestry meet?—Once a fortnight.

3450. And reports, I presume, are made periodically by these officers?—Yes; there is an annual report for the information of all the inhabitants.

3451. How is that circulated?—It is circulated to every vestryman, and to a considerable number of the inhabitants; anybody can have it at the vestry.

3452. By paying 2 *d.*?—We do not make a charge.

3453. Where is the vestry hall?—Just beyond the church, going to Hammersmith.

3454. Do you think that the public is fairly represented; that their interests are fairly cared for by the present constitution of the vestry?—I do. I may say that we have put down eight and a half miles of new sewers in our district within the last five years; we have formed 63 new streets, and we have under our jurisdiction 43 miles of turnpike roads and parish streets. I think any one driving or passing through Kensington will see that the streets are very well kept.

3455. With regard to the Metropolitan Board, I believe you occupy rather a prominent position there as deputy chairman of one of the principal committees?—I am deputy chairman of the main drainage committee.

3456. And you know its working very well?—Yes.

3457. Do you believe it would be improved in its constitution if the election were directly by the inhabitants instead of through the vestry, as at present conducted?—I really do not think it would; I think in my own case it would not make any difference; I believe I should be elected either by the open vestry or by the other vestry; I do not think it would make any difference; but I do venture to think that in selecting a man from the vestry who has shown some business qualifications, you are quite as likely to get a proper man as if you appealed to the rate-payers at large; that is my own impression; I may be wrong.

3458. However, in your own case, you seem to think it has worked well?—I should not like to put it in that way.

3459. Is there any convenience in the person elected being a neighbour, and acquainted with the work of the vestry?—I think there is great benefit in his attending regularly; but they are not shut up to the necessity of choosing vestrymen, they may choose whom they please.

3460. Under the Act of Parliament they can take any one?—Any man living in the district.

3461. With regard to the working of the Act of Parliament under which you are constituted, do you think that any improvements could be suggested in the vestry?—I think it would be well if there was a court of appeal, if the Metropolitan Board could hear any grievances: for instance, supposing it was asserted that a new sewer was wanted, as in the case of Earl's Court, a little while ago, and the vestry said it was not required, for certain reasons which they could not make known to the public; it would be as well that any six inhabitants should be able to go to the Metropolitan Board and state their case, and allow them to decide whether the vestry was right and reasonable, or whether the application of the inhabitants should be granted.

3462. Mr. *Hugessen.*] Would not that add immensely to your duties?—It would; but we are a court of appeal now for many things, for improper orders, and things of that sort.

3463. Mr. *Tite.*] Have you any suggestion to make, from your own experience, for the improvement

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provement of the Metropolitan Board as now constituted, or of the vestry, according to your own knowledge of its working?—The great idea before the public is that of the municipalities suggested in the Bill of the Honourable Member for Westminster; and the question is, would you get better men to attend those municipalities than you have in the vestries; that is the real point; because, if by instituting those municipalities you would get a better governing body, undoubtedly, in the interest of the public, they ought to be formed; I very much question, however, whether you would. There are a great many things which may work against your extending the area beyond a certain size; you must choose a happy medium, neither too small nor too large. If the area is too large, the place of meeting will be in the centre, and the men of leisure and means, the persons you want to get, will not attend; they will not give up so much time as is necessary to go to a distance, and take part in the proceedings of a large body, because you always delay business if you have a very large body of people; there are more speeches to be made, and more discussions to go on. I venture to think if you have an area such as Kensington, comprising 2,200 square acres, and 80,000 inhabitants, that is sufficiently large for good government. I think the result will be very much thus: as is your neighbourhood, so will be your vestries or your municipalities; if it is in a very poor outlying district you cannot expect to get the same class of men to attend as you do in a much wealthier district.

3464. Your own vestry, you believe, represents the various classes of the people in the district?—I believe it does so, and that it works well and effectually. I do not say that it is perfect, but it works well; and I think the great improvements that have been made in the lighting and paving, the roads, and so on, are quite as much as you could expect in the time. Every vestry wants to be educated up to a certain point; you cannot expect that it will do in the first year that which it will be able to do after some few years of experience.

3465. Half of your vestry appear to consist of persons, in a certain sense, in the upper classes of society?—Yes.

3466. Mr. *Mill.*] I understand, from your description of the composition of your vestry, that it contains a very considerable number of persons of a superior class?—Yes; that is naturally owing to the circumstance that there are an unusual number of persons of leisure and cultivation who inhabit the district of Kensington.

3467. I think you said that it would not be possible in poor districts to obtain the same class of persons?—No, I think not.

3468. If that be the case, do you not think that if geographical circumstances admitted of Kensington being combined with other parishes which have not this advantage in the same degree, these poorer parishes, as well as Kensington, would get the advantage of that selection of persons of a more cultivated class, who now give their services to Kensington vestry?—No, I do not; they would not be mutually benefited. Kensington would pay the penalty, and the poor parish would get the benefit. I think if you were to ally Fulham and Hammersmith with Kensington, you would not get the gentlemen of Kensington to go so far, and to care for the well-being of Fulham and Hammersmith to the same extent that they do for the area round them. I think it would take up so much time, as greatly to diminish the number of those who attend to the municipality; and as to the idea of calling them aldermen, and so on, I am sure it would frighten a great number of gentlemen out of the vestry and out of the municipality. I have no objection to go to my vestry, and to be of what service I can in the district; but if you wished to compel me to become an alderman, I should run away, and say I would rather not.

3469. The dignity of alderman is not very popular in your parish?—It would be if the Corporation of London governed the whole of the metropolis, and you had a real alderman; but if you multiplied municipalities, and had aldermen as thick as blackberries, it would be a mockery and a delusion rather than a compliment.

3470. Mr. *Tite.*] So of all Lord Mayors?—So of all Lord Mayors.

3471. *Chairman.*] You think these civic titles would not get the respect of the community?—That depends upon whether they are realities or not.

3472. Mr. *Mill.*] You would reserve those dignities, perhaps, for the general body that would administer the concerns of the whole metropolis?—If the City of London had been wise enough to open its arms and take in the whole metropolis, so that there should be one Lord Mayor, and an efficient number of aldermen, one to each district, then there would be something in it; but as to having 11 municipalities, with a multitude of aldermen, I feel sure it would not induce the better class of our population to join the vestry or the municipality.

3473. *Chairman.*] Is it your opinion that it would tend rather to deteriorate your local administration than improve it?—I am sure it would; as far as Kensington is concerned, I am sure it would be a heavy blow and a great discouragement.

3474. Is it your experience that there is a sufficient number of persons in the Metropolitan Board of Works for the convenient performance of its duties?—I think so at present; in some districts that have greatly increased there should be a second member.

3475. Have you never heard complaints from the members of the Metropolitan Board of Works with regard to the amount of duties they have to perform?—Yes, surely; some gentlemen who have all their time occupied with their own affairs, and can scarcely spare any for the Metropolitan Board, may make complaints, but I do not think they are entitled to do so; if they take the duty upon themselves they ought to be able to devote a certain amount of time.

3476. Do you think it desirable, for the purposes of local administration, that the duties should be so onerous that people who have something else to do should not be able to take part in them?—I do not think they are so onerous as that.

3477. Have you heard of any complaints?—I have heard of some complaints; I should think, if we were to have the great questions of gas and water given to us, we should require increased numbers.

3478. Relatively to the duties you have to perform, are not your numbers less than those of any other local Board in the metropolis?—Yes; but I consider that the vestries have not very much to do.

3479. Do you think that is so; having regard to the fact that the persons who ought to go on the vestries are those who are engaged in business?—

ness?—Of course it is convenient not to have to give a great deal of time, but I am sure, if it was necessary, the vestries could give a great deal more time than they do.

3480. Would it not be a defect in the system if it required such a sacrifice of time as to produce an unwillingness on the part of persons in business to go into the vestry?—I do not think it would; I do not think anyone would decline to serve because he had to give up a little more time; certainly not the men who take an active part in the vestries now.

3481. Do you see any difficulty in having the members elected direct from your district to the Metropolitan Board?—I see no particular difficulty.

3482. Suppose it were annual?—Certainly if annual.

3483. *Chairman.*] Is there not this inconvenience, practically, that if you elect people for the subordinate office of vestryman, and not for the office for which the person is ultimately intended, you do not get, as candidates, all the persons that you might get if the election were directly for the superior office?—That is not my experience in my district. I think the men who are best qualified to carry on the duties at the Metropolitan Board are the men who are most efficient in the vestry; they are duties of a similar character, only of a wider range.

3484. Is not the result of such a system that a person, instead of being elected for the duty he has to perform, is elected for another duty which is not considered so important?—No. I believe if a vestry did not consider the persons they had to elect very efficient, they would go outside the vestry.

3485. Have you ever heard of their going outside?—No; because it must be an extraordinary thing when you have 80 men, who have been elected because they are men of business habits, if you cannot get a thoroughly efficient man amongst them.

3486. Do you think that your vestry is too numerous?—No.

3487. Then, having regard to its duties and the numbers of its members (80), what do you think would be a proper number for the Metropolitan Board, having regard to the duties it has to perform?—I should not have any objection to see the numbers doubled, only it would take a much greater time to transact the business. The man who now has to give up two days a week would, under such circumstances, have to give up four.

3488. Why so?—Because there would be more discussion and more talking.

3489. Ought not the business, in order to be done efficiently, to be discharged in committees, and not by the whole Board?—Every committee brings up its report for the Board to sanction. We could not delegate final power to any one of our committees.

3490. You are not allowed?—No; when the report comes up, every member is at liberty to discuss and to pull it to pieces, and move amendments.

3491. Do you not think it is desirable that a report should be brought up before a considerable body of persons, to sit in judgment upon it, representing all the different interests in the metropolis?—Yes; the question is whether you should have two from each district, or one.

3492. Mr. *Tite.*] In point of fact, there is a large meeting of the Board upon every report that is brought up?—Yes, there are 30 or 40 members present whenever there is a question of any moment to be considered.

3493. *Chairman.*] Is there any reason to suppose, that if the members were doubled, the discussion would be prolonged?—I am afraid it would.

3494. Mr. *Tite.*] How many committees are there in the Metropolitan Board?—There is the Finance Committee, the Main Drainage Committee, the Streets Committee, the Thames Embankment Committee, and others; there are seven altogether.

3495. How many are close, and how many open?—There are four committees of the whole Board; the others are committees of 15.

3496. Did you ever see, either in the close committees or in the open committees, any want of the attendance, or any difficulty in making a quorum, or any want of anxiety to do their duty?—No, it is a rare thing to have to wait for a quorum.

3497. What is your quorum; eight is it not?—Six in some of the committees, I think.

3498. What is the general attendance at the committees?—It is very nearly as large as at the Boards. We often have 25 or 30 members at the committees of the whole Board.

3499. Some how or other the gentlemen elected to the Metropolitan Board do find leisure to attend all those committees?—Yes; and I confess I am often surprised that we have such thoroughly good attendance.

3500. Many of the members come a considerable distance?—Yes. There is, however, an exception. I will take the case of Mr. Carpmael. He will invariably attend if it is a small meeting; but he does not care to attend if there is a very large number. He is a thoroughly practical man; his time is of value, and he does not care to sit and hear an hour's talking; but if the business is matured by a small committee, and then brought before the Board, he will give his time.

3501. What district does he represent?—Wandsworth. I mention him as one.

3502. He has always been connected with the drainage and paving of the metropolis?—Yes; he has belonged to the Board since its formation.

3503. And I think before that he was a member of the Drainage Board?—I dare say he was; but I do not know his antecedents.

3504. *Chairman.*] Do you think, without going into the question of establishing large municipal bodies, it will be expedient to increase the area of the administration as of local boards?—I should think there are some where it might be expedient. Westminster, for instance, is divided and subdivided a great deal too much, and I think that such anomalies as a street being paved, one side in one way, and on the other side in another way, ought not to be tolerated. Let there be a Court of Appeal, and let everybody be able to bring his grievance to it. If there be such petty jealousies as have been mentioned (which I cannot understand) let them be settled by some proper authority.

3505. Your area has increased rapidly, in regard to population?—Yes; and in the number of houses.

3506. You anticipate its being considerably larger in a few years than it is at present?—As to population.

3507. And therefore in the number of streets?—Yes.

3508. Do you find any inconvenience from its present

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present size?—No; I think it is a very good size.

3509. Do you think it might be increased before arriving at a limit of inconvenience?—That would depend upon what kind of a neighbourhood you would join us to; if you join us to some neighbourhood of a totally different character, I think we should have a great deal of clashing and squabbling, if you joined; Fulham and Kensington, for instance. We carry on things in one way, and they do it in a different style; the rental is much smaller, and everything is on a different scale; I think if they come into our vestry there would be a good deal of contention.

3510. Is there no other parish that you could join yours to with advantage?—We are more on a level with Hammersmith than with any other.

3511. Mr. *Tite.*] That is very large?—It is large; Hammersmith and Fulham form a district of themselves.

3512. Is that the present district?—Yes.

3513. *Chairman.*] Hammersmith could not be added to you without Fulham also?—I should think not. I think it would be too large. There would be no economy in it. Our surveyor would not be able to range over the whole district. We should be obliged to have an assistant surveyor.

3514. St. George's, Hanover Square, is the next parish to you eastward, is it not?—I think it is.

3515. Could you not be joined to that with advantage?—I think not.

3516. Is it too large?—It is large enough of itself. One thing, however, that I should like to see introduced into the metropolis is a uniform system of rating. I am afraid the City and St. George's, Hanover-square, are not at all rated as they ought to be, compared with many other districts.

3517. Have you any suggestion to make as to the mode of rating the metropolis, to obtain a uniform rate?—I mean rating according to one system.

3518. It is rated by one system, in point of law; but have you any suggestion to make with regard to an executive body for the purpose of effecting a uniform rate?—I have not considered it sufficiently to make any particular suggestion.

3519. Mr. *Tite.*] How is it managed by you in your parish?—We have an Assessment Committee. That committee takes the various wards. It takes one ward one quarter and another another. They go round with the collector and view any property that he suggests ought to be increased, or taken into rating. They consider what is the value of the property to let, and upon that they assess, taking off 10 per cent.

3520. *Chairman.*] Is that Assessment Committee a committee of the vestry, or of the Board of Works, or of the Board of Guardians?—Of the vestry. It is the vestry that assess.

3521. The Board of Guardians being altogether a separate body?—Yes.

3522. Does the Board of Guardians also assess for poor rates?—No.

3523. Mr. *Tite.*] They adopt your assessment?—Yes.

3524. *Chairman.*] What power have you?—We collect the rate.

3525. What have you to do with the rate?—We assess for our parish rates. The Board of Trustees assess for the poor rate. It is a combined committee of the two; so many from the trustees, and so many from the vestry.

3526. You mean a mere voluntary committee, not established by law?—It is a voluntary committee.

3527. It has legal authority. It merely gives information to the Board of Guardians to act upon?—No; we act upon it ourselves.

3528. Do you collect your rates separately from the Board of Guardians?—The Board of Trustees collect the rates, and pay the Board of Guardians that which they estimate as necessary for the relief of the poor.

3529. Is the Board of Trustees formed under a private Act?—Under a local Act.

3530. The assessing and collecting of rates for all purposes, is by the Board of Trustees, elected under a local Act of Parliament?—Not for any rates appertaining to the vestry and the Metropolitan Board, but simply the poor rates.

3531. Then you are bound to collect on the basis of the poors' rate?—Yes.

3532. Therefore it answers for all purposes?—Yes.

3533. Mr. *Tite.*] You have a mutual understanding by some members of one body, and some of the other coming together?—Yes.

3534. To whom does an appeal lie?—To the local magistrates.

3535. *Chairman.*] The trustees, in fact, have discharged the duties of overseers of the parish, in making and collecting rates?—Yes.

3536. They discharge all the duties that pertain to overseers, that are not by the Act vested in your Board?—Yes; churchwardens, overseers, and trustees.

3537. All one body?—Yes.

(*The Witness delivered in the following papers.*—Vide *Appendix.*)

Monday, 11*th June* 1866.

MEMBERS PRESENT:

Mr. Ayrton.	Mr. Locke.
Sir William Gallwey.	Mr. Mill.
Mr. Knatchbull-Hugessen.	Mr. Tite.
Mr. Kekewich.	Mr. Turner.
Mr. Alderman Lawrence.	

ACTON SMEE AYRTON, Esq., in the Chair.

Mr. Jonathan Salter, called in; and Examined.

Mr. *J. Salter.* 11 June 1866.

3538. *Chairman.*] Are you connected with the parish of St. Pancras?—Yes; as Chairman of the Highway Sewers and Public Works Committee.

3539. That is the local Board, under the Local Government Act?—Yes.

3540. The vestry?—Yes.

3541. Your parish is, I think, the largest in the metropolis at the present time?—Yes, in point of area.

3542. Can you give the population?—It is over 200,000.

3543. I believe, by the census of 1861, the population was 198,788?—Yes; and I assume that it has increased in the same ratio as before, judging from the large number of houses that have been built.

3544. What is the rating for the poor's rate?—£. 982,684 is the rateable value, for the year ending Michaelmas 1865.

3545. It is somewhat higher than the county rate, I think?—Yes.

3546. What is the amount of the county rate?—£. 925,872.

3547. Does your Board take any means to value or assess, or does it adopt the poor's rate assessment?—We adopt the poor's rate assessment.

3548. What was the amount of your expenditure last year?—£. 88,916; the sewers, main drainage, lighting, and the general rates. In addition to that we have the garden rates, which are paid by persons residing in the squares. There are special benefit rates on certain estates where improvements have been carried out, and for which the occupiers of those estates pay.

3549. Is the area of the parish very extensive?—The area is about 2,600 acres. The length from north to south, say from Highgate to Oxford-street, is about four miles and a-half. The breadth from east to west is about a mile and a-half.

3550. Some of that area is still unbuilt upon?—Yes. There are some portions not yet laid out for building, and there are some that will not be eligible, such as cemetery lands and places abutting on them.

3551. There is still room for a considerable number of houses?—Yes, a large number of houses.

3552. How many vestrymen are elected to your Board?—One hundred and twenty.

3553. Are they elected by wards, or by the whole parish?—The parish is divided into eight wards, and so many vestrymen are elected in accordance with the population and area. No. 1 Ward only returns nine members, whilst No. 8, from its larger population, returns 18 members. The gross total is 120, the vicar and the two churchwardens being *ex officio* members of the vestry.

3554. What means do you take to carry out the election?—The vestry, some month or six weeks before the time of the election, appoint a committee to conduct it, and notice is usually given by printed placards affixed to the church doors, and frequently people who take an interest in local politics place the placards in their windows. Men are sent round a week or 10 days before with posters to say that on such and such a day the election in such a ward will take place, stating the number of vacancies and the persons entitled to be returned.

3555. Bills are stuck up in the usual way?—Yes, on the walls. The bills state where the election will take place for every ward. The election for the eight wards are on the same day, but not at the same place. The committee appointed by the vestry make arrangements for a poll being taken if it is demanded.

3556. Are the notices sent to the parishioners at all?—Only by placards.

3557. Are some of those placards delivered to the parishioners?—Not without an application for them. The election is generally pretty well known in the parish.

3558. Is it the practice for the shop keepers to send for copies of the placards, to put in their windows?—Occasionally; but only those who take an interest in the election. It is pretty generally circulated and posted on the various hoardings in the parish; the bill poster puts up the placards on places where bills are allowed to be stuck, of course we placard our own places, such as stone-yards and any office that we may have.

3559. Is it your opinion that by the means you use, the attention of the inhabitants is called to the fact that an election will take place?—Decidedly.

3560. And that is generally known?—Generally, throughout the whole parish; in fact, there are very few places in which some opposition does not arise in some wards.

3561. There is generally some contest?—Some

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amalgamation takes place, and meetings are held. In the ward I represent we have had two public meetings, one was to appoint scrutineers in case of a poll being demanded.

3562. Are those meetings convened by the parochial authorities, or are they merely spontaneous meetings?—Spontaneous meetings.

3563. Then the parties who call the meetings have to pay for them?—Yes, and these meetings generally follow the notification of the election.

3564. Does the vestry find a place large enough for a considerable number of the inhabitants to assemble to carry on the election?—Yes; the committee appointed by the vestry arrange the different places. School-rooms are generally selected. A school-room is used for No. 1 Ward; the Commissioners' Room for No. 5 Ward; the Vestry Hall for No. 6 Ward; the Kentish Town School for the Kentish Town Ward. The expense is paid by the vestry out of the rates.

3565. How many people generally attend these ward meetings?—I think the largest number I remember at the last election was 130. That was in No. 1 Ward. There are large meetings when strong opposition takes place.

3566. Are the candidates nominated by speeches; or what is the course pursued?—The nomination is by speeches; the voting is generally by list.

3567. Do you mean that a list of candidates for the ward is prepared beforehand by the parties interested, and circulated?—Public meetings are held by the inhabitants in the wards. Then the names are selected and put to the meeting, but they generally vote by what is called a list; that is, a public meeting of a particular ward determine upon selecting, say, six gentlemen to be returned; and if any opposition takes place on the day of the vestry meeting, frequently a name is submitted in lieu of some one who may be considered objectionable to the parties attending.

3568. Is there any opposition list prepared, or is the list that is circulated merely more or less scrutinised?—Formerly, we voted by lists; one list against another; but, latterly, there has been an amalgamation in this way; they say, "We will submit to such a name in lieu of such a one."

3569. When the nomination is made and challenged, what step is taken to carry on the election?—A show of hands is taken, and the number counted for each candidate. If a poll is demanded, the voting is by balloting paper, in accordance with the Local Management Act.

3570. Each party must attend, and deliver in a paper, with the names of the candidates for whom he votes?—Exactly.

3571. He cannot send by a third party?—No; and he must not be in arrears of rates in order to be enabled to vote; at least, he must have paid the preceding rate.

3572. He must have paid any rate that is then due?—No, our rates are made in March and September, and he must have paid the rates that are due in September before he can vote.

3573. Is much trouble taken to select suitable candidates?—Nothing more than by these public meetings, which I have termed ward meetings.

3574. Who chiefly attend the meetings: persons of independent means, persons belonging to the professional classes, or shopkeepers?—There is a mixture of classes; I think there is a preponderance of shopkeepers. It depends on the ward. In the higher wards, No. 3 Ward, for instance, the majority are private gentlemen. In wards where the shopkeeping interest prevails, we have a preponderance of shopkeepers attend; as a rule, however, it is a mixed body. We have a few clergymen and professional gentlemen, but not as many as might take an interest in the matter.

3575. Do you find a general indisposition on the part of persons of independent fortune and the professional classes to take part in these elections, as compared with their numbers in the ward?—They attach sufficient importance to the office; but when they are brought to book to give attendance, they say that their professional engagements will not allow them to give the necessary time and attention. The retired tradesmen I find to be those who most generally attend; but there are exceptions.

3576. Can you give us an account of the general composition of the Board?—We have one or two ministers, two or three members of the law, and several medical gentlemen; I should say about half would be shopkeepers, and the other half would be divided amongst the clerical, legal, and professional gentlemen; there are very few purely independent gentlemen; we have three justices of the peace who are members.

3577. In your parish, have you not a great many persons of independent means as inhabitant householders?—In the lower portion of the parish there are a number of city men who live with their wives and families; living near, so that they can reach home; there are a large number of persons who are independent, but not in any great ratio to the large population of the parish.

3578. Are there not a great many persons of position in the city, such as merchants, bankers, brokers, and persons of that description?—Yes; they belong to the class who say, "Our time is so much occupied that we cannot accept your invitation."

3579. Do you meet in the middle of the day?—The vestry meet in the afternoon, and the Public Works Committee at six in the evening.

3580. Do you find that the vestrymen have barely a qualification, or do they occupy property very much more valuable than the qualification?—I should think, perhaps, that five per cent. of the vestrymen have barely a qualification, but the majority are considerably above the qualification; the qualification is 40 *l.*

3581. In considering the qualification, do you mean that they are the exclusive occupants of the houses, or that they merely occupy houses of greater value, and sub-let a considerable portion of them as lodgings?—In the great majority of cases the business premises would be over 40 *l.* a-year. There may be five or six cases in which they are barely over that, but the great majority are considerably above it; perhaps some two or three sub-let their premises.

3582. Do you find that the attendance of members, when elected, is very constant?—We are pretty well off in that respect; we generally get about 80 out of the 120 to attend. I have known as many as 102 or 103 on special occasions, such as the election of a member for the Metropolitan Board of Works, or any important occasion like that.

3583. You say that as many as 80 attend at the

the ordinary meeting of the vestry?—I find that the average attendance at the ordinary meetings, last year, was 59.

3584. If those who are elected do not give a reasonable attendance, is it the practice to reject them at the next election?—The parishioners generally do that.

3585. How many do you think it is desirable to have present, in a parish like this, for a fair representation of opinion in the conduct of the business?—I should think 20 or 30. We are tolerably sure of having a moderate attendance. We have many committees, and the various chairmen of the committees are compelled to be in attendance; we can generally secure a fair attendance from that reason.

3586. How many do you generally appoint upon a committee?—We have 24 on the Works' Committee, and 16 on all the others. On the Works' Committee these are selected by a meeting of the whole vestry; three members for each ward are selected; on the other committees, two members for each ward. If any members are added afterwards it is by special notice of motion by individual members; and it often happens that before the end of the term the Works' Committee swell up to 32 or 33, and the other committees in the same ratio. Not less than 24 members are appointed by the Works' Committee from the general body, and not less than 16 for the other committees.

3587. How many committees are there altogether?—Five standing committees: the Works' Committee, the Finance Committee, the Assessment Committee, the Sanitary Committee, and the General Purposes Committee.

3588. What has the Assessment Committee to do?—They appoint from their body a subcommittee, to assess house property, to increase or decrease the rating of houses in accordance with the rise and fall of the neighbourhoods.

3589. I thought you said that the assessment was entirely on the basis of the poor rate?—The vestry lays the rate, the Assessment Committee report all their cases to the vestry.

3590. How is the poor rate assessed in your parish; what have you to do with the assessment of the poor rate?—The vestry makes the rate.

3591. Is the vestry the Board of Guardians in your parish also?—No, they make the rates for the directors, so called, under the St. Pancras Local Act. After the money is collected it becomes vested in the directors, who are appointed by the vestry.

3592. Will you explain how the poor law is administered in your parish, and what relation that administration has to the vestry under the Metropolis Local Management Act?—The vestry selects from its body 40 members, who act as directors of the poor, who expend all the money fairly chargeable to the poor rate, such as the police and county asylum; they expend that money, the vestry levying the rate.

3593. Those powers of the vestry are under your local Act?—Yes.

3594. But the vestry also performs some duties under the Metropolis Local Management Act?—Exactly.

3595. Do you consider that the Metropolis Local Management Act superseded the mode of electing the vestry prescribed by your local Act?—Yes.

3596. Do the vestry always select from their own body 40 persons to administer the Poor Law, or do they select other inhabitants?—Usually from their own body; I have known exceptions. Any gentleman may be returned a director of the Board if the vestry think fit to return him.

3597. Then, practically, your vestry administers the whole local business of the parish?—Exactly.

3598. By allocating the different duties amongst the members of it?—Yes.

3599. And they attend in the aggregate for the purpose of considering certain general questions and giving instructions to the committees?—Yes; our first business, after receiving the financial statement, is to receive reports from the various committees; the vestry then deals with the questions brought before it, and it allows or disallows the reports brought up.

3600. Are the meetings of the vestry public?—Yes.

3601. Are reporters always allowed to be present?—Four or five papers are represented on each occasion; there are four local papers.

3602. Is that by right, or by favour?—By right; at least, we never take any notice; a table is provided for as many reporters as like to come.

3603. Mr. *Locke.*] Did you ever turn them out?—No.

3604. *Chairman.*] You have the power to exclude them if you choose?—We could do so if we thought fit.

3605. Do you exclude them from the committees, or do they attend?—Two or three attend the Works' Committee each evening; I have occasionally known them to attend the View Committees; we are pretty well watched by the reporters.

3606. Is it understood that they may be present at all meetings of the committees?—They may, if they please. I may mention, in passing, that besides these committees there are subcommittees for particular purposes. We divide the work as much as possible so as to get all the reports ready for the weekly or fortnightly meeting.

3607. If any special question arises, you refer it to a special committee?—Anything that would not apply to either of the committees I have named.

3608. How often does the vestry, in the aggregate, meet?—The general meeting has been latterly fortnightly, but we have frequent meetings to hear appeals against rates. Sometimes for three or four weeks there is a great press of business, and then we meet weekly.

3609. Do you mean the whole vestry?—The whole vestry are summoned for all meetings, special as well as general.

3610. How long do the meetings generally last?—About four hours, on an average; sometimes three, and sometimes five.

3611. How many times do the committees meet?—There were 159 meetings of committees last year.

3612. How often does each committee meet separately?—The Assessment Committee is in the habit of meeting about once in a fortnight or three weeks; the Highways' Committee meet always on Monday for the general meeting. We have an audit meeting on Thursdays, and the View Committee meet on Saturday. I have known sometimes three meetings of the Highways' Committee in one week.

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3613. What meetings are there of the Works' Committee?—I think our meetings last year, speaking from memory, were about 59.

3614. A little more than once a-week?—Yes; that includes the meetings of the Board that goes to view. If a gentleman makes an application for a portico, it is referred to the View Committee of the Highways' Committee.

3615. How long do the meetings of the committees generally last?—The meetings of the View Committee last some four hours; the Audit Committee meets once a-month, and the meetings generally last about an hour and a-half, those of the parent committee from two to three hours.

3616. Does your Board appoint a chairman of these several committees, or do the committees elect their own chairmen?—The committees elect their own chairmen for a year. The first business of the committee meeting after its appointment is to elect a chairman. The Works' Committee meet to-day to elect a chairman.

3617. The Board, I believe, is presided over by the rector, or by a churchwarden?—Yes; it is in the will of the vestry to elect whom they think proper.

3618. Is it not stated in Sir Benjamin Hall's Act, that the rector or vicar shall preside?—He would take the chair by right, but no one else; it is a matter of courtesy that we elect the senior or junior churchwarden.

3619. You are obliged to elect a chairman for each meeting?—Yes.

3620. Except when the vicar happens to be present?—Yes.

3621. Do the parishioners think that it is a duty incumbent upon the vicar to preside over all these local affairs?—I do not think they do.

3622. Does he very often come?—No; Canon Dale used often to come, but Canon Champneys has not done so.

3623. Was it found desirable generally, considering the relation of the vicar to the inhabitants, that he should attend these Boards?—That opens a very broad question. I have my own particular views on the subject; but I cannot speak for the inhabitants generally.

3624. Do you think it tends to give consistency to this administration, to have a recognised chairman of your Board?—I do not think it would be any great advantage; the system works well at present, and gives general satisfaction. We never have failed from the want of an efficient chairman; should the churchwardens be absent the vestry generally select a member amongst themselves; we never wait a moment after three o'clock.

3625. Is there any recognised person in your parish who is the organ of communication, except the clerk?—The churchwardens are generally supposed to be so; but the vestry clerk is our officer to whom communications are usually addressed; someone is always in attendance, if he should be absent.

3626. There is no inhabitant in your parish to whom anybody can look as being specially responsible for your local government?—No, with the exception of the vestry clerk and the chief surveyor, who are our officers; their names are extensively circulated, and their offices in different localities, so that the inhabitants are well acquainted with them.

3627. How are the churchwardens appointed in your parish?—By the members of the vestry.

3628. The rector has no power to nominate the churchwardens?—No; he can simply give a vote.

3629. Your churchwarden being thus elected becomes, as it were, an elected chairman in your parish?—As a matter of courtesy, not as a matter of right.

3630. As he is understood to preside at the meetings when he is present, you electing him, do, in point of fact, elect a chairman?—Not quite, because he has to be moved into the chair, and the votes are taken by the vestry clerk before he takes his seat. If any gentleman thought fit to propose the junior churchwarden he could do so.

3631. By the previous understanding of the parishioners that the churchwarden shall preside when he is present, the practical result is, that in electing him you elect a chairman?—A man may be a very good churchwarden, and a very bad chairman. We reserve the right of electing another chairman if we find that the churchwarden is unable to carry on the business to the satisfaction of the general body.

3632. I suppose that in electing a churchwarden you have an eye to the duties you intend him to perform?—That is not considered his most important duty, taking the chair at the vestry.

3633. What is his most important duty?—There are several duties in connection with his office; there are certain documents of a very important character, which must be signed by the churchwarden, and he must take a position at the parish church.

3634. Beyond keeping the vicar in order in the church, I suppose he has no other duties to perform?—He is supposed to be, *ex officio*, a member of all committees of the directors of the poor, but with regard to the vestry he must be moved to the chair.

3635. Therefore his real responsible duties are in connection with the vestry rather than the church?—Yes; he is elected by the vestry for vestry business, but we are very strong on that point, that he does not take the chair simply because he is churchwarden; if we found out on any occasion that he did not conduct the business to our satisfaction, we should still have the right of saying, "We elected you to the chair simply by courtesy."

3636. Is your church under a local Act, or maintained by the ordinary law?—We have no control there.

3637. Is it maintained by a local Act or under the ordinary law?—We have a governing body called church trustees, who manage the business of the parish church.

3638. Is that a trust constituted by Act of Parliament for building the church?—Yes; a special trust for St. Pancras.

3639. How are the trustees appointed?—Men of a certain position are eligible to the office, generally men of independent means.

3640. Is that a trust that perpetuates itself by electing members to its own body, or is it elected by any other body?—They elect members to their own body; if any one of the church trustees thought it desirable that some gentleman of independent means should become a church trustee he would nominate him.

3641. Then power is vested in them to perpetuate themselves?—Yes, that does not affect us locally in any way.

3642. What is the power of the trustees over the

the church; is it really to maintain the edifice out of some property?—Yes; I may mention that the parochial churchwardens, during the time when they are churchwardens, are entitled to sit at the Board, and the vicar is also a member of the church trustees.

3643. *Ex officio*?—Yes; the vestry have no control over that body.

3644. These three persons may sit amongst the trustees *ex officio*?—Yes.

3645. Then the church trustees have some property vested in them for the sustentation of the church?—There are certain estates belonging to the church, that they are trustees of, and they support the edifice.

3646. So that the churchwardens have no independent control in the matter?—No.

3647. Do you think, considering the duties performed both in regard to the general affairs of the parish, and under the Metropolis Local Management Act, and the administration of the poor, that the number of your Board is too great?—No, I think it is a very fair number.

3648. There would be no advantage in diminishing it?—No, I do not think the parishioners would be agreeable to diminishing it; there is a considerable amount of work to be got through, and by having 120 members we can allocate it better.

3649. You think you have a better selection of persons competent for particular duties?—Yes; there will always be a certain number who do nothing.

3650. Do you think that any advantage would be derived from enlarging your area of management, by adding other parishes?—I think, like the House of Commons, it is bound to work well; the parishioners do not suffer from any inattention to matters in any way.

3651. Do you think that any advantage would be derived from adding any other parishes to yours, so as to enlarge the area of administration?—I think it would be a disadvantage. I think there is as much as we really can manage. I do not think it would be wise to make any addition. Ours is a large area.

3652. Do the inhabitants complain, or are they satisfied with regard to the distance they have to travel to attend the meetings?—I never hear any such complaints. We have two or three officers. The works office is not exactly in the same place as the vestry hall, and messengers are constantly running to and fro. The parishioners, if they are not acquainted with the routine of business, generally make their complaints, if they have any, to a member of the vestry. The members are well known by the inhabitants, and pretty well canvassed too.

3653. If they have any grievance they speak to their own representative to bring it under the notice of the Board?—Yes, unless they are acquainted with the ordinary routine of applying to the office. I find it pretty extensively so in my ward.

3654. Do you take any means to publish the accounts among the inhabitants?—Yes; auditors are appointed pursuant to Act of Parliament, and notice is given that the accounts may be inspected on application to the vestry clerk.

3655. After the accounts are audited, do you take any means to distribute them?—Only by a notice to that effect.

3656. Do you print the accounts in a compendious form?—Yes, all the ratepayers are entitled to examine the accounts.

3657. Do your officers make any annual report of progress as to what has been done in the different departments, or is it only the accounts that are brought up in this way?—The only office that makes special reports is the Sanitary Office. The other reports are generally made to the members of the various committees.

3658. Is the sanitary report printed for general distribution?—Yes, it is sent to adjoining parishes. Any parishioners who like to apply for it can have it. We are generally pretty liberal in that respect.

3659. Are these reports given to the ratepayers?—We charge 2 *d.* for the one I produce.

3660. The ratepayers may have the annual accounts on paying 2 *d.*?—Yes.

3661. That is less than the cost of printing, I presume?—Yes.

3662. How many are printed every year and circulated?—Two hundred and fifty copies.

3663. Do you find that they are all applied for, or do they remain on hand?—A good many remain on hand; the local papers publish the estimates and the financial statements every week.

3664. Is this account brought under review by the local papers at the end of the year?—Each of them has a copy; all the accounts passed by the finance committee are submitted to the vestry before being paid. The newspapers have a column specially devoted to that subject; they carry on the balance in hand from week to week.

3665. Are these the penny papers that have been started since the repeal of the paper duty?—Yes; reporters are generally present from the "Morning Advertiser" and the "Observer." They take cognisance of any matter affecting the general public, but do not notice purely local matters.

3666. Have you found any defects in carrying out the provisions of the Local Government Act?—Not in St. Pancras, I think.

3667. Have you found any difficulty in dealing with nuisances in the houses of the poorer classes?—The practical thing required there is constant attention, finding out who the owners of the property are, and suing them in the police court. The great difficulty we labour under is, that the magistrate really has no time to attend to the cases we bring before him. We have a day very kindly set apart for us at Marylebone, on which cases of that character are taken; that interferes with the ordinary business in a large parish like ours.

3668. Do you find there is any difficulty in enforcing the law, or any tendency on the part of the inhabitants of the smaller houses to relapse into the same unclean condition in which you found them?—Well, they require constant watching. We have four sanitary inspectors, who travel over the various portions of the parish.

3669. They travel over the ground again and again?—Yes.

3670. Do you find that, after the places have been made clean, they relapse again into a dirty state?—Frequently, but we cannot legislate for cleanliness. Some people's habits are anything but cleanly. We frequently find that the sanitary inspectors know cases of that character, and watch them pretty narrowly.

3671. Have you many courts and alleys in the parish occupied exclusively by the poorer classes?—Not a very large number; we have some

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some few in the lower section. The upper portion and the western portion have been built on. There are some few courts, not very long, that are *cul-de-sacs*.

3672. Are there houses in your parish which in their construction are unfit for people to live in?—We are very fortunate in that respect, for we have a very vigilant sanitary officer, and several assistant surveyors, who perambulate the districts, and houses of that character are soon brought to notice.

3673. Are all the poorer classes of houses supplied with water and drainage?—Yes. There are exceptions; for instance, in a court where there are seven or eight houses, each house may not be supplied with water, but there is one supply for the court.

3674. Is the drainage complete in all these courts?—We are completing the drainage as fast as we can; our drainage is generally very good, and we have expended a great deal of money upon it.

3675. Are you of opinion that further powers are necessary, to enable the vestry to superintend these poorer houses for the preservation of health?—I think we have ample powers; if we could compel the people themselves to require less coercion, that would save us a great deal of difficulty; we have the means at our disposal for discovering them; it is a question of labour more than anything else.

3676. Have you experienced any difficulty in getting repaid, when you have made an outlay yourselves?—Very rarely; when we put the sewer in Murray-street, at the upper portion of Kentish Town, we had to prosecute several owners, but we recovered the whole of the money. I think there is no instance in which we have not done so.

3677. Amongst the vestrymen, are there many persons who own houses of the poorer class?—I think there are three or four.

3678. Do you think that any influence is exerted over the Board by the owners of this class of property occupied by poor people, to prevent the operation of the Act for the purpose of preserving health?—No, I think not.

3679. You think that the Board exercises its power quite irrespective of any such consideration?—Yes; an owner of small house property in St. Pancras would be more closely looked after than anyone else, as being a vestryman.

3680. Do you think that there is any tendency, on the part of that particular class of persons, to get themselves in the vestry?—If they have that tendency, the inhabitants take care that they will not allow it; they take a great deal more interest than is generally supposed in the election of vestrymen, only they do not take an active part in the matter. There is not much canvassing going on, but it is generally pretty well known who are the persons to whom the various wards are about to be entrusted.

3681. Is it your opinion that there is such a feeling against them that, if there was any such disposition manifested, the inhabitants would be active to repress it?—I think so; I think there would be very little chance of any such person escaping, for the moment it was discovered that he was in fault, naturally, for our own credit, he would be compelled, as soon as possible, to cleanse the property.

3682. Do you find any difficulty in protecting the interests of the parishioners against improper or unsatisfactory private legislation at the instance of railway companies, gas companies, water companies, and so on?—The inhabitants take considerable interest in these matters, and there is a very vigilant solicitor who notices anything that affects the interests of the parish; we have a general purposes committee to whom all Bills of that character are referred, and who report to the vestry as to the desirability of any clause being altered or struck out.

3683. Do you consider that your powers are sufficient for the purpose of enabling you to protect the interests of the inhabitants in respect of private legislation?—Our powers are not as great as the inhabitants would like, but we look to the House of Commons to protect the interests of the public in that matter.

3684. Are your powers sufficient, or are the arrangements sufficient to enable you to appear before Parliament to protect the interests of the inhabitants?—Yes; we generally get clauses inserted, but it is considered that we have not sufficient power to confine the railway and other companies to their proper places.

3685. Do you mean that you would desire that the vestry should have some power over these companies by a general law in addition to the power of appearing before Parliament?—My own private opinion is, that it would be sufficient for the inhabitants to leave that matter in the hands of the House of Commons; I think we have sufficient power to preserve the interest of the ratepayers in respect of any injury inflicted upon the parish itself.

3686. You think it is sufficient for you to appear and obtain such clauses as are considered necessary for the occasion?—Yes.

3687. Do you think that is better than any general legislation, giving vestries power?—I think so; I do not know whether my colleagues share that opinion.

3688. You have spoken of having a number of special trusts for squares and other parts of the parish; do you consider it desirable to maintain those special trusts, or do you think that some arrangement should be made for their extension, so as to bring the whole parish into one administration?—We are differently constituted from many parishes; we have now no special trusts in existence.

3689. You spoke of squares, and so on?—The expense is provided by the inhabitants of those squares. They meet, in accordance with the Act, and select amongst themselves seven or eight persons, who agree upon a rate to be levied. The vestry levies the rate without charging anything for it, and the inhabitants of the squares pay the amount.

3690. Do you think it is necessary to make any arrangement with reference to the debts that existed in the parish when the Metropolis Local Management Act came into force?—We are gradually getting them off. There is no power to pay them off now. There were 16 paving trusts, and when they were put an end to by the Metropolis Local Management Act each trust had a debt. There are no powers to enable the vestry to pay that debt off. They can only pay it off if there is a surplus in hand on the estate. It would be desirable to reduce these debts if possible, but we cannot levy a rate for the purpose.

3691. Do you think that the parties who pay the rate should pay something additional for the purpose

purpose of extinguishing the capital debt, and finally putting an end to the separate financial administration of these trusts?—Yes, there is a small sum over each time.

3692. Do you keep the gardens in the squares in order?—No; the inhabitants themselves do that. They appoint a committee to see how much money they require, and the vestry raises it by a rate.

3693. And you pay the money over to the committee?—Yes; through the finance committee, and the account is kept and entered.

3694. Do you think that it would be just that the expense of keeping up these squares should be paid by the inhabitants at large, so long as only certain persons have the right of using them?—I do not think we should interfere. In some places they go to a very great expense in the decoration of the grounds, but if they were left in the hands of the vestry they would be kept in a uniform style, of which the inhabitants and occupiers would not approve.

3695. Would it be very much to the interest of the whole parish if the squares were public, and kept up at the expense of the whole parish?—I do not think so.

3696. Would they not form recreation grounds for the poorer classes?—You are there dealing with a delicate question. The freeholder who built upon the estate left these open spaces with the idea of an improved class of people dwelling in the houses, and he has got a larger rental in consequence. The houses have been adapted especially for the upper classes.

3697. In the case of owners of houses desiring to be relieved of the special rate, and to surrender a square, do you think it would be for the advantage of the parish that the square should be kept open for the public at the public expense?—I think it would be a disadvantage. We are very fortunate in recreation grounds, for we are close to Regent's Park, Hampstead Heath, and Highgate. We do not stand so much in need of the squares as the central parishes. I think the rates would suffer if those places were thrown open for the public to use them.

3698. Have there been many complaints made of the shortcomings of your parochial administration?—Nothing more than badinage and friendly sparring. There are no grounds for complaint.

3699. Do you receive any letters of remonstrance as to the condition in which the property occupied by the poor is kept?—Very rarely. I think we generally steer very clear of fault-finding from the inhabitants.

3700. But there are a great many complaints with reference to the administration of the Poor Law in your parish, I think?—I cannot go into that question; I believe those complaints are groundless.

3701. In selecting 40 directors for the poor, do you make any special selection in consequence of any qualifications possessed by the persons who are chosen, or is there a ballot?—There is a meeting of vestrymen held at the commissioners' rooms, and it is generally understood that five shall be returned from each ward. The names are submitted to the meeting, and those gentlemen getting the highest number of votes generally succeed in being returned as directors of the poor.

3702. Do you find that a selection is made of persons of independent means, or of persons in business?—There is a mixture. Some men are good at figures, and they may be selected for that reason; another man perhaps has retired from business in some particular line affecting us; a retired builder, for instance. We generally endeavour to select men who will be creditable to us, and who are adapted for our various committees.

3703. Are the justices of the peace excluded under your Local Act from attending at the meetings?—They can attend, because it is an open court, but they have no voice.

3704. They have no right to attend as they would have in the case of an ordinary Board of Guardians?—No. The only *ex officio* directors are the two churchwardens and the vicar; that applies to the directors as well as the vestry.

3705. Mr. *Kekewich.*] Your committees are constituted from the general Board of the vestry?—From the members of the vestry.

3706. Supposing that anything requires reference to the general body of the vestry, do they refer to it as a sort of body of appeal?—Any matter relating to finance would be referred by the vestry to the finance committee, to report upon it at the next meeting; anything affecting sewers would be referred to the highways committee; anything referring to the sanitary matters, to the sanitary committee; and so on. Any minor matter that the vestry felt could be carried out by either of the committees would be done without having to be referred back again to the vestry.

3707. In making the assessment of the parish, the assessment committee performs the functions usually performed by Boards of Guardians?—No; the assessment committee only say that such a house, in such a street, is worth so much money. The vestry manage the whole business.

3708. You rather object to the control of the Poor Law Board altogether?—It is a large parish, and I think we can manage very well ourselves.

3709. Does this assessment committee sit constantly, from year to year, and assess houses and property from year to year?—They are appointed annually. It does not follow that the assessment committee of this year should be the assessment committee of next year.

3710. Do you find the value of the property in the parish much increasing?—In some portions; I may say generally throughout the whole parish; owing to the destruction of property by railways, the houses that are in existence increase in value.

3711. You have a great many railways passing through your parish?—Several; and we have the termini of several railways.

3712. Have you any canals?—One; Regent's Canal.

3713. How are such properties rated?—When a new railway company comes in we get clauses inserted that we shall not suffer any depreciation in our rates from property being pulled down.

3714. That is all you do?—Yes; until they improve and enlarge.

3715. You do not take from the profits of the railway company?—As soon as the buildings are completed, we assess on the value of the buildings; so that, in an indirect way, we do take from the profits of the companies.

3716. You assess the railway with the value of the property, supposing the railway had not been there?—Yes; up to the time that the railway is opened.

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3717. Is Somers' Town in your parish?—The whole of it.

3718. Has that been lately built upon?—It has been taken down for the construction of railways.

3719. Is there any want of dwellings for the poor?—Yes; there is a scarcity of dwellings for the poor, because the property has been pulled down for the construction of railways. Otherwise we were pretty fortunately supplied with dwellings for the poor.

3720. Has that want been supplied?—That is a matter for private speculation. There is a large number of houses adapted for the requirements of the poor in Oak Village.

3721. I believe the parish is divided among a great many owners of property?—An enormous number.

3722. But there are some large proprietors?—Yes; in the neighbourhood of Russell-square. The Duke of Bedford and the Earl of Dartmouth; Lord Southampton has also property there; the Marquis of Camden and Earl Somers.

3723. I think you said there are no justices of the peace who are *ex officio* guardians?—No; they cannot take part in the deliberations; they can only attend by courtesy.

3724. Sir *William Gallwey.*] I suppose no one pays any rates for the maintenance of the square unless he has access into the square?—The rate is compulsory on all occupiers of the square.

3725. They all have access, I suppose?—Yes; and keys.

3726. When the squares were originally built, the freeholders, who built them, might have built streets, and covered the space with houses?—Yes; they would be entitled to do so.

3727. Then the squares may be considered to be the private property of the freeholders to whom the houses belong?—Yes.

3728. And you could not possibly open a square to the public without the sanction of the freeholder, since that would be a confiscation of private property?—Exactly.

3729. Mr. *Locke.*] You say there are three owners of the poorer class of property in the vestry?—About three.

3730. Do they own that class of property to a large or to a small extent?—They are small owners, having, perhaps, a dozen houses.

3731. Each of them?—Yes, I should think not more.

3732. I suppose there are in the parish a great number of poor houses?—Yes, a considerable number not held by members of the vestry.

3733. Are there localities which are extremely bad; the Brill, for instance?—That is all taken down for the Midland Railway.

3734. Does that property belong to the Tunbridge estate?—Some is on the Skinner's estate, some on the Tunbridge, and some on the Brewer's.

3735. That has been taken by the Midland Railway?—Yes.

3736. Was there any very bad property there?—There was a small class of houses occupied by Irish labourers.

3737. Is there any very bad property still in the parish of St. Pancras?—Very little.

3738. Is there any property that ought to be taken down and rebuilt, being untenantable and unfit for people to live in, creating fever, and so on?—I do not know of any; there is one row of buildings that we have had fever in, but that has been thoroughly cleansed.

3739. Have you read the statements of Dr. Ferguson?—I have.

3740. They are connected with St. Pancras, are they not?—Yes; in the shape of attacking us.

3741. Does not Dr. Ferguson hold office in St. Pancras?—No.

3742. And he has attacked you?—Yes.

3743. Has he said in these attacks, that there are fever localities in your parish of St. Pancras?—Yes; "fever dens," he calls them.

3744. Are there such?—I say, no.

3745. Are there places, dens, or whatever you call them, where fever has broken out?—Fever was prevalent for a long time in several portions of the parish, not only in the poorer dwellings, but in houses of a better class.

3746. You say that in the poorer places, fever existed for a great length of time?—Yes; and it is scarcely eradicated; there is an isolated case now and then.

3747. To what do you attribute it, that in the poor localities fever should have existed for a great length of time; is it owing to the structure of the buildings, to their being built so close together, so that no air can get into them, or what?—I think it arises from the dirtiness of the inhabitants; I have visited the locality in question as an almoner for the Society for the Relief of Distress, and I am tolerably conversant with it and with the inhabitants.

3748. Is that place a *cul-de-sac?*—Yes, with perhaps 20 houses.

3749. How many places are there in the whole parish with 20 houses jammed up together in that way?—Speaking from memory, I should say 20 other places; they are not very extensive places.

3750. Little fever spots throughout the parish?—Yes; but I do not wish you to labour under the impression that we ignore those localities; we have done all we could in insisting on their being cleansed.

3751. What have you done to remedy the evil?—With regard to St. Mary's-place we repaved it some considerable time ago. Instead of the old-fashioned pebble we put down some old York paving.

3752. That is on the surface?—Yes.

3753. Is there any drainage?—Yes, down the centre.

3754. An open gutter?—No, a sewer underneath.

3755. Is there a sewer?—A 12-inch barrel drain.

3756. Whereabouts is St. Mary's-place?—By the Hampstead-road.

3757. How many houses are there there?—Fifteen or 20.

3758. How much ground do they cover?—The entrance to the court is about eight feet, and the length 150 feet. There are front courts to the houses. I have not the plan here, and cannot give you the exact measurement.

3759. How many floors are there to the houses?—There are two floors beside the ground floor. They are three-storied houses. They do not run all alike in height.

3760. You say that there is a sewer running down the middle?—Yes.

3761. Is that in connection with the houses. Is there a drain from the houses into it?—The houses drain into it. I do not think that there is

combined drainage. I think the houses all run into this 12-inch barrel drain.

3762. Is there any water laid on in any of these houses?—There is water laid on in the court.

3763. Is there water laid on in any of the houses?—I cannot answer that question.

3764. Is there a pump at the end of the court?—No.

3765. What is it?—A cistern and barrel.

3766. There has been a great deal of fever in that place?—I think it has abated now.

3767. Do you think that that is a sort of place that would be all the better for being pulled down?—Doubtless, if you could get the owners of property to pull down their houses, if they had the means of erecting more roomy dwellings, it would be desirable, but we have no power.

3768. Do you think that it would be an advantageous thing, if you were invested with that power as a local body; compulsory power to take down these fever nests, and levy a rate, having powers to borrow money from the Government under the Bill which has been brought in by Mr. Childers, with a view of removing all these black spots from the parish of St. Pancras, and build proper houses in their places?—I fear it would not be to the advantage of the public if the vestry became building speculators.

3769. Supposing they erected proper houses and sold them?—Then it would lay them open to speculation.

3770. Do you not think that it would be an advantage to have such a power, if properly regulated, for the purpose of improving these localities; do you not think that it is a duty that ought to be imposed on local authorities?—I do not think we should be able to grapple with the question.

3771. You have never tried?—No; I am afraid that the owner of this small class of property would not like the sanitary inspector continually running after him and compelling him to whitewash, to trap the drains, look after the water-closets, and so on, and that he would compel us to purchase the property by shirking his duty.

3772. Do you not think that if there were provisions in the Act of Parliament to prevent that, so that the thing should be done in fairness to both parties, it would be a great advantage to the public?—We might be able to grapple with it then, but it would require a great deal of caution. With regard to the attacks that have been made upon us about what have been called "fever dens," I may say that I have had fever in my own house, and it is not so very badly off for ventilation and drainage.

3773. Supposing that there were competent inspectors to decide whether a particular place should be dealt with in that way, and presuming the conclusion to be properly arrived at that the houses should be taken down and rebuilt, do you not think it would be a benefit to the public at large that the local authority should have the power of carrying out that improvement in the dwellings of artisans?—Doubtless it would be an advantage to the public, only, as I said, any legislation on that point must be carried out with great caution to prevent peculation. We have a medical officer of health with four sanitary inspectors, and he has authority to see those dwellings thoroughly cleansed.

3774. The case I am putting is the case of a place like that which you have described, which is incapable of improvement; so narrow and bad that the only effectual mode of making improvement is by pulling it down?—We must be careful what we do or we shall get large dwellings coming into the same category. We cannot improve the habits of the people; you may make a house clean and healthy to-day, and in a fortnight it may be as bad as ever from sheer neglect.

3775. *Chairman.*] Do you mean that if people were cleanly in their habits in these small houses they would not be injurious to health?—We could grapple with the difficulty then.

3776. In a place eight feet wide, and with houses three storeys high, do you mean to say that if people were as clean in their habits as they could be, the position would not be extremely unwholesome and bad?—The pavement is eight feet wide, but there is a forecourt in front of the houses.

3777. What is the space from front to front of the houses?—I should think 16 or 18 feet.

3778. Mr. *Locke.*] What place have you been speaking of?—St. Mary's-place.

3779. Is not that one of the best of these bad places?—I do not know of very many places that you can call bad.

3780. Do you know the Brill?—Yes; very well.

3781. And Kentish Town?—Yes; thoroughly.

3782. Is it not in the Brill and in Kentish Town that the fever is most prevalent?—I think there cannot be any fever in the Brill now, as it does not exist.

3783. But was it so?—There were very rarely attacks of fever there.

3784. What do you mean by rarely?—Perhaps once in two years.

3785. What places are there in Kentish Town that are bad?—There are one or two little courts; there is one court with about four houses made of wood as high as this place. There is some fever there arising from the habits of the people, not their want of pureness of atmosphere, because it is very open.

3786. Is the street open?—The height of the houses would give them plenty of air.

3787. What is the width of the street?—The entrance is very narrow; the houses are not in the street at all, they are in a block.

3788. Is that a *cul-de-sac*?—Yes.

3789. Do you think that a *cul-de-sac* is an advantage?—I am sure it is not.

3790. Would it be a good thing to pull all those down?—Doubtless it might be a good thing to get rid of them; I do not want you to fix me to the principle itself; I say it would be a good thing to pull down this class of houses, but I am afraid if powers were given to the vestries, the moment some medical man wrote to the "Times" to say that such a place was highly injurious to the people, the vestries would be compelled to step in and buy the property.

3791. You are afraid of doing too much good?—No.

3792. Do you know the Gower Estate?—Yes.

3793. That is the property of the Duke of Bedford?—Yes.

3794. Is that property enclosed by gates?—Yes; one portion is closed by a bar belonging to the University Hospital.

3795. Between the hospital and the university?—Yes; in Woburn-place.

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3796. Do you think that those bars are very objectionable?—Yes, to the general public. I do not suppose that the inhabitants of the locality dislike them.

3797. What makes you say that they are objectionable to the general public?—Because of the transit of traffic.

3798. Is the traffic very great now from the Euston-road?—Yes.

3799. Is the traffic so great as to be very much impeded by these gates?—Yes; there is a great deal of traffic from the Great Western Railway, from the Euston-square Station, the Great Northern, and the Camden Station of the North London Railway.

3800. Who repairs these roads?—We repair the roads.

3801. The parish?—Yes.

3802. And do you repair the roads in Russell-square?—No; that is in Bloomsbury.

3803. Do you repair the roads on the Duke of Bedford's estate that are within the parish of St. Pancras?—Yes.

3804. Who pays for the gates?—I think the inhabitants who occupy the houses. I believe the Duke put them up, and, I think, there is a debt upon them. I think that any legislation in that direction would be a boon to the public generally.

3805. Who paves the footways?—The parish.

3806. Are there any bars on the Camden Estate?—Yes, they have some bars there also.

3807. And on the Skinner's Estate?—Yes; there is a small bar at Mabledon-place; there is no bar in Judd-street. There is one in Regent-square, but I do not know whether that is on the estate; it is closely abutting on it, at any rate.

3808. From Mabledon-place you run down into Burton-crescent?—Yes, the main line to get into Oxford-street. The most objectionable gate is the one near Woburn-place.

3809. Mr. *Tite.*] You have power in your present Act to compel the supply of water for the cleansing of any cesspools or water-closets, and any proper arrangement of that kind?—The medical officer of health has power to do that without the vestry.

3810. And if the party to whom you give notice does not do it, you can do it yourselves?—Yes, and we can compel the owner to pay by a magistrate's order.

3811. You know the adjoining parish of Islington?—Yes.

3812. Do you know that they have presented a petition, stating that certain roads and footpaths in that parish are very badly attended to, owing to the clashing of two parishes?—That could not apply to St. Pancras. It may apply to Islington and Hornsey, or Hampstead. We do not clash with any parish.

3813. Across Maiden-lane do not the two parishes of Islington and St. Pancras come together?—There is an arrangement made there, as you are aware, by order of the Metropolitan Board, stating that one portion is to be attended to by St. Pancras, and the other portion by Islington.

3814. That is by consent?—By order of the Metropolitan Board of Works.

3815. By the consent of the two parishes, who called in their jurisdiction?—Yes, some two years ago.

3816. Then you do not admit the allegation of the petition?—No; we are on good terms with Bloomsbury, Marylebone, and Hampstead. We act on the give and take arrangement, going directly across.

3817. *Chairman.*] You do the work, and obtain a contribution from the other parish?—Yes, with St. Giles's, but with other parishes the boundary roads are divided laterally.

3818. Mr. *Tite.*] You take one part and they another?—We act upon the give and take principle. There is a stone that runs across marking the boundary.

3819. Is it all done on the same system?—All our parish.

3820. And the adjoining parish?—Only where they connect themselves with us. I think we are the only parish that do it in that way.

3821. *Chairman.*] Do we understand that throughout all the roads where the parish boundaries run through the middle, you undertake the repairs of the entire road, and obtain a contribution from your neighbours towards the expense?—Exactly.

3822. Mr. *Tite.*] It is said in the petition that there is a portion of the Camden-road, in the parish of St. Pancras, in good repair and condition, both as regards the road and footway, but that the portion of the road, in the parish of Islington, is very much neglected; is that true?—I can only answer for St. Pancras, and say that our portion is well done.

3823. *Chairman.*] I believe that refers to the division in length?—Yes, the western division.

3824. Mr. *Tite.*] They say that the portion in your parish is extremely well done, and the portion in Islington extremely ill done, the one being paved and the other macadamized?—The Camden-road is all macadamized; the paving reaches now to the "Red Cap;" it has been newly done.

3825. You say that your part is well done; you do not know whether the other part is ill done?—I cannot say.

3826. Mr. *Mill.*] Yours being a very large parish, and having so much local business of various kinds, probably your attention has been drawn to the subject of the municipal government of London, and you have, perhaps, formed some opinion as to how far it is defective or admits of improvement, if so, will you state what are your opinions on that subject?—I think, as far as St. Pancras is concerned, we have, to a certain extent, a municipal government; that is to say, we have a very large area, and have a large number of representatives, and, I think, we do our work in such a manner that we are, to a certain extent, a municipality. I know it is the opinion of some gentlemen that it would be much to their advantage if there were aldermen and so on, but I question if a man who is really anxious for the welfare of his neighbours cares whether he is called a vestryman or an alderman.

3827. You are acquainted, no doubt, with the plan of municipal government for London, which has been drawn up chiefly by some vestrymen of Westminster?—I have seen it.

3828. Have you any remarks to make on that plan?—I have nothing particular to say in favour of it.

3829. Have you anything to say against it?—I do not wish to say anything against it.

3830. If your experience suggests any objections to it, I have no doubt the Committee would like to hear them?—As far as regards the area that we have under our control, I do not think it

it would be any advantage; doubtless there are localities, that are not managed as we profess to manage our affairs, where it would be an advantage; what I feel is this: that I should object to our having a larger jurisdiction saddled upon us with a body who would not understand our business as thoroughly as we do.

3831. Your body, I conceive, is a kind of specimen of what the municipal governments of the districts of London would be under the proposed plan, because its district is very large and populous, and is on a scale, not indeed quite so great, but approaching the size proposed?—Yes.

3832. I think the only district of importance which would be added to yours under the proposed plan, would be the parish of Bloomsbury?—Yes.

3833. Do you see any disadvantage in the junction of the parish of Bloomsbury in the same municipal body with yourselves?—Some portions of Bloomsbury very closely abut on us, but if Bloomsbury were attached to St. Pancras, speaking in a parochial sense, it would naturally be anxious to return a large number of members, and they would not be so well acquainted with the wants and requirements of St. Pancras as the St. Pancras authorities at present are.

3834. But, no doubt, in any municipal body, the members who represent particular wards or districts, would be those chiefly consulted in regard to the wants of their own districts, except when the subject was one to be decided on general principles common to all, so that it is not probable that the unacquaintance of the people of Bloomsbury with the wants of St. Pancras would be any damage to St. Pancras; in fact, that objection, if it applies at all, would apply even to so large a district as St. Pancras, because it is impossible that the inhabitants of every part of St. Pancras can be well acquainted with the wants of every other part; is not that so?—There is an interchange of communication among the representatives of the vestry; for instance, the outer section is represented by its members who meets the representatives of the others, and so they become acquainted with each other's wants.

3835. Would not the same thing take place between the representatives of Bloomsbury and St. Pancras if they were united in one body?—I do not see why it should not.

3836. As I understand, the vestry of St. Pancras is composed of a considerable mixture of various classes of society?—Yes.

3837. In that respect, it is more a specimen of what would exist under the municipal government proposed, than a specimen of the municipal government which exists throughout the metropolis at present; do you not think that if the municipalities were usually on a scale equal to, or somewhat greater than St. Pancras, instead of being as they are, in most cases, much smaller, there would probably be a considerably greater mixture of classes, and that persons would be obtained of a better position in society, and better general instruction?—I quite agree with that; I think the area should be sufficiently large to entitle it to members who would represent all bodies; I think it might be an advantage that small areas should be increased to larger ones.

3838. You think that the area of St. Pancras is sufficiently large?—Yes.

3839. Although you do not think that some moderate extension of it would be decidedly objectionable?—I confess I cannot see the general advantage that would be derived from it.

3840. Would there not be an advantage in the junction of a district such as yours, where persons are willing to serve in the municipal body, who have more than an average education and position; do you not think that by the junction of such districts with other districts that have not the advantage of generally obtaining so good a class of men, those other districts would also obtain the same advantage as St. Pancras, to a certain extent, now possesses?—Unfortunately, men of scientific attainments seldom trouble themselves much with these affairs, even in municipalities.

3841. But do you not think that they are more likely to do so where the districts are large?—I think that the vestry of St. Pancras stands on a par with the Common Council of the City of London, which is the greatest municipality, I suppose, in the world, consisting of men of all shades and degrees.

3842. Do you not think that that is the sort of municipal council which it is desirable to endeavour to obtain in every part of the metropolis?—I must say that, as far as St. Pancras is concerned, I do not think it would be an advantage.

3843. Because you consider that, owing to its extent, it possesses, in a great degree, the advantage which it is desired to confer on other parts?—Yes. No doubt, smaller areas would be improved by having other areas added to them; but I think we have as large a machine as can be properly worked. I think the inhabitants generally would suffer, if the area was made larger. I think they would not have that ready means of communicating with each other, which is so necessary in all local matters.

3844. You think that the extent of the Parliamentary boroughs would be too great?—I think so.

3845. You are aware that in the proposed plan the districts would not be so large as the present Parliamentary boroughs?—No.

3846. Your parish would be included along with Bloomsbury, in a district subtracted from two Parliamentary boroughs, and Tower Hamlets would be divided?—Yes. If you extended our area we should require two medical men. I question whether there is not sufficient employment at present for one with a staff under him; whether it is not better to have one head, with subordinates under him, than two; one for one division, and another for the other. I think there would be clashing.

3847. Do you think your district so large that one medical man, even with the necessary number of subordinates, could not superintend it?—I think not. I am speaking in a sanitary point of view, as regards drainage. I am referring to the medical officer of health now, not to the persons who attend to the sick poor.

3848. Still smaller districts would be required for that?—Yes; we have medical officers for that purpose in each district.

3849. Has your Board generally a good understanding with the sanitary officers; do you go on smoothly with them?—Pretty amicably. I have known occasions when a little ill feeling has arisen when the sanitary department has called for something to be done on the spur of the moment; but, as a rule, they generally agree.

3850. You have sometimes thought that the

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recommendations went beyond the necessity of the case?—I have had no occasion to think so; some members have; but as a rule the sanitary measures are carried out.

3851. As a rule the recommendations of the sanitary officers are carried into effect by the vestry?—Yes; with perhaps some trifling exceptions now and then.

3852. Is there any improvement that you would suggest, in the way of increase of power to the local Boards, or any new functions that you would entrust to them; would you give them, for instance, any power with regard to water or gas?—That is a difficult question. I think the House of Commons should step in and settle that question. Where money is invested by various companies, it is rather difficult to step in and tamper with the subject.

3853. The House of Commons alone could give such power, and could alone determine what course should be taken with regard to existing companies; but have you not formed any decided opinion on that subject?—No.

3854. Mr. *Kekewich.*] When was the last valuation made in your parish?—I think in 1864.

3855. Was it made under the Union Assessment Act?—We are not a union.

3856. Do you think the gross estimated rental of your parish, as assessed for ascertaining the rateable value, is nearly correct?—Nearly correct. We shall have a re-assessment shortly, owing to the demolition of property by the Midland and other railways; after the terminus has been built, after the erection of the stations, and when the traffic is brought to bear, it will be necessary to increase the assessment.

3857. You think that there will be a considerable addition to the present valuation?—Yes; judging, also, from the large amount of ground that is covered towards Highgate, I should think it would be considerably increased.

3858. Is there a great deal of building in Somers' Town?—That is destroyed; but we lose nothing on the assessment by that.

3859. *Chairman.*] You are represented in the Metropolitan Board by two members, I think?—Yes.

3860. Considering the duties that are from year to year being put on the Metropolitan Board, do you think it would be desirable that you should have more representatives on that Board?—If the Metropolitan Board thought that their numbers were not sufficient to carry on the duties they have to perform, of course St. Pancras ought to have additional representatives; but it seems to me that the system works well. I have not at present found that any question sent to the Metropolitan Board has been neglected; I have always had prompt replies from them. We frequently send questions weekly with reference to the department I am connected with. If the Metropolitan Board, however, felt that their numbers should be increased, St. Pancras should be represented as a matter of right by an additional member or two, according to the extent of the increase.

3861. Do you think it is desirable that the Metropolitan Board should undertake the duty of protecting the inhabitants in Parliament, rather than the local Boards?—I think the local Boards should retain that power. The Metropolis Board would only have two representatives from St. Pancras to take care of its interests; and, I think, we ourselves should be able to grapple with a question of that sort better than it could be done by deputy.

3862. Are there any gas and water companies whose limit of supply is exactly co-extensive with your parish?—The Chartered Company, I think, supplies us very little. The Imperial supplies the whole of the parish, with the exception of the Chartered, which lights about 40 or 50 lamps.

3863. The Imperial extends over other parishes?—Yes.

3864. And the Chartered also?—Yes.

3865. Is there any water company that supplies your parish exclusively?—No; we have two companies, the New River and the West Middlesex.

3866. And they supply a great many other parishes?—Yes.

3867. Therefore, any question relating to the gas and water must necessarily interest other parishes as well as your own?—Yes.

3868. Are there any means of joint action on the part of the parishes on these questions, or are the interests of the parishes so involved that it would be better for the Metropolitan Board of Works to undertake the solution of all questions connected with these matters?—In all questions relating to gas and water, the parishes are at present in the habit of amalgamating; on the question of gas, for instance, Marylebone would probably send to St. Pancras, Islington, and Clerkenwell, or any parishes that might be affected, and a deputation would be appointed from each parish to consider it.

3869. You are aware that a Committee was appointed this Session to consider the working of the General Gas Act?—I have seen it recorded; I have not seen the Minutes.

3870. Did that subject engage the attention of your Board?—Two delegates were appointed to act with the City of London in reference to that question; they were sent to watch the interests of the inhabitants in respect of that Bill.

3871. Was any return taken by your vestry, in concert with others, to watch over the interests of the inhabitants?—The whole of the vestries, I think, sent delegates, or nearly so.

3872. Did they instruct counsel to appear for them?—We have our own standing solicitor.

3873. Did he appear before the Committee?—He was not examined.

3874. Have you considered the extent to which it would be desirable to give the Metropolitan Board authority in reference to metropolitan matters, or matters of local administration?—I think they have ample authority now.

3875. Considering the difficulty that is experienced in questions relating to the supply of water and gas, do you think it desirable that the Metropolitan Board should be required to look after the interests of the inhabitants with reference to those matters?—I think they should be left in the hands of the vestry, as at present. There are standing arrangements with gas companies. Our contract was made three years ago; it will soon be out, and then we shall be able to take some steps. It would be injudicious on the part of any representative body to enter into an engagement with a corporate body for the supply of any particular material, and then to rush into the field and find fault. We must complete the terms of our contract, and for that time we must be content.

3876. Do you think that your parish is carefully

ully assessed to its rateable value, according to aw?—I think so.

3877. How often is the assessment revised?—Every three or four or five years; there is continually a moderate revision.

3878. Is there a constant revision in all cases of houses being pulled down and rebuilt, or in the case of new houses?—The collector reports half-yearly; he tells us when a house has been considerably enlarged, and then the matter is referred to the committee and viewed, and the house perhaps is assessed at 50 *l.* instead of 40 *l.* The party assessed has the opportunity of appealing against the assessment to the vestry.

3879. Are you in communication with the surveyor of the district, to get reports of all changes in property?—We rely chiefly upon the poor-rate collector; he is paid by a per-centage, and looks after the property pretty sharply.

3880. You have no communication with the district surveyor?—No.

3881. He gives you no reports?—No; we have reports from our own surveyor.

3882. Do you think it desirable, having regard to the duty of the district surveyor, to examine all new buildings, that he should communicate with the vestries, or with some authority, in order to check all changes of rateable value?—That is done at present; our surveyor is in communication with the committee on these matters, but we generally find, as soon as any alteration takes place likely to add to the assessment, that the poor-rate collector discovers it.

3883. Your surveyors are not for the purpose of surveying houses that are pulled down and rebuilt, but for the purpose of surveying the roads?—Our surveyor is called in to give a valuation, and to consult us.

3884. It is no part of his duty to attend to the buildings in the parish?—Yes, that is one portion of his duty.

3885. Do you mean that he carries out the Building Act?—No; it is under our own Act.

3886. Are you not under the general Act?—Yes; but our local Act empowers our appointing a surveyor; we make our bye-laws, and it is one of the duties of the surveyor to attend the Assessment Committee.

3887. Although the Metropolitan Board appoint a district surveyor under the General Building Act, you, having a local Act, appoint another surveyor to do the same duty?—No.

3888. What is the duty of your surveyor?—To look after the whole of the roads and sewers, and to attend any committee in reference to building erections or valuations.

3889. It is no part of his duty to attend to the building of new houses?—No, the Metropolitan Board have a surveyor who takes care of that; I thought you were referring to the question of valuation as to assessment. If any difference arose as to the valuation and assessment of property, the surveyor would give his opinion.

3890. I was asking, with reference to the duty of checking all new buildings, so as to ensure their being brought under assessment in the next rate?—That is one of the duties of the poor rate collector; we have a collector for each ward, and one of his duties is to report alterations or improvements that take place in his locality.

3891. Do you consider that that is sufficient for the purpose of ensuring a constant revision of the rates?—I think so; he is continually over the ground; if not, his assistant is. He is paid by a per-centage, so that the larger the amount he collects the greater is the advantage to him.

3892. Is it your opinion that, so far as the alteration of structure is concerned, your assessment is half-yearly brought up to be as accurate as possible?—I do not think you could improve it. We fall back on the surveyor; it is his duty to report, and if he does not, some of the committees report for him; I never knew a question of property not being taken into consideration.

3893. With regard to change of value from other circumstances than alteration in structure, is there any check in your parish?—Yes.

3894. What check exists?—The Assessment Committee meet and go over the whole district, and the surveyor, the assistant surveyor, and the rate collector, go over the various wards.

3895. What means have you of ascertaining the real rack-rental of the streets in the parish?—In appealing against an assessment the inhabitants generally produce the necessary documents. We frequently meet with cases of appeal, where the property has been improved, and then we demand the production of the documents.

3896. Are you constantly reviewing the amount of assessment, for the purpose of considering whether it corresponds with the real value of the property?—Yes, fortnightly, I may almost say, in a direct way; and indirectly, individual members, who are acquainted with the localities, are continually communicating with us.

3897. Is it your opinion that, in your parish, the rateable value approximates closely to, or is coincident with, the actual value?—I think so. It is a matter that has always received considerable attention. If we assess property too high, in the opinion of the occupier, we give him every opportunity of having his case fairly heard, and if he shows good cause, the vestry reduces the amount.

3898. Can you say whether, in your parish, when a house is built on a building lease, and a ground-rent is paid for the property, the ground-rent is added for the purpose of assessing the house to the poor rate?—All those questions are generally considered. We say that the house is worth so much, and we take that into consideration. If the ground-rent of the house is 7 *l.* per annum, and the actual rental 40 *l.*, we should perhaps say that the house is worth 60 *l.*, and should assess it at that. We should not be influenced by the amount actually paid, because the occupier may have taken the house 10 or 15 years ago, under very favourable circumstances. We are guided by the present value, and there is a continual supervision going on.

3899. If in the squares there is a rate paid, for the use of the square, is that also added to the value of the house?—No.

3900. Why is it not?—It is very little.

3901. Is not a considerable sum paid in some of the squares?—I think 2 *l.* is a high rate. In one square the rate is only a penny in the pound for the half-year. In some cases it is 2 *d.*, and in others 3 *d.* The amount required is very small, from 20 *l.* to 30 *l.* a year for the maintenance of the garden.

3902. Is it your opinion, that in your parish a fair rental is arrived at?—I think so.

3903. Mr. *Tite.*] Are you speaking of the county rate or the poor's rate?—The poor's rate.

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3904. Do you know that, from 1858 to 1865, you paid on the county rate threepence in the pound to the Metropolitan Board, upon 860,000 *l.* rental, and that in 1865 it was increased to 953,000 *l.*?—The county increased that for us.

3905. Why did you not increase it?—They charged us so much more.

3906. If from the year 1858 to 1865 you paid upon 100,000 *l.* less than a fair value at the present time, that 100,000 *l.* must have been to your advantage when you had to contribute relatively to others?—Yes. We have no jurisdiction over the county rate; the moment they called upon us we had nothing to do but to pay.

3907. *Chairman.*] What is the gross estimated rental?—£. 1,159,628.

3908. Mr. *Tite.*] Is there a reason for the difference between the poor's rate and the county rate?—That is a question over which the vestry has no control.

3909. The poor's rate is on a rack rental, deducting certain allowances; you do not know the principle of the county rate?—No.

3910. Do you know the proceedings they take to ascertain it?—I do not know.

3911. Mr. *Kekewich.*] Do you adopt any scale of deduction for the purpose of ascertaining the rateable value?—We generally deduct 15 per cent. on yearly tenancies, and 5 per cent. on leasehold.

3912. Repairs and insurance?—Yes.

Mr. JOHN RICHARD COLLINS, called in; and Examined.

Mr. *J. R. Collins.*

3913. *Chairman.*] WHAT are you?—A Chemist.

3914. Are you a Member of the St. Pancras Board?—I am a Member of the St. Pancras Vestry, and Chairman of the General Purposes Committee; I have been so for some years.

3915. You are aware that a Committee was appointed this Session to inquire into the working of the Metropolis Gas Act?—Yes.

3916. Did the vestry take notice of that, and appoint a deputation?—Yes; there were two gentlemen appointed. The City of London addressed a communication to us inviting our co-operation, and stating that they would be at the cost of promoting the Bill in Parliament. The vestry ordered a petition to be presented to Parliament, and the common seal affixed, praying that Parliament would pass the Bill introduced by the City of London. Two gentlemen attended as delegates at the Guildhall, and were made acquainted with what was going on. It was assumed that the City of London would take the conduct of this matter. The vestry of St. Pancras opposed the Imperial Gas Company in the House of Lords in their endeavour to obtain new powers; they employed professional witnesses and counsel. The Imperial Gas Company lights nearly the whole of our parish. We endeavoured to protect the ratepayers, inasmuch as we endeavoured to show that gas might be produced at 3 *s.* per thousand, but we failed in convincing the Lords' Committee, and the preamble of the Imperial Company's Bill, seeking powers to raise new capital, was passed in the House of Lords, but, as you are aware, the House of Commons rejected the Bill upon other grounds; its contiguity to Victoria Park. We have all along endeavoured to get a reduction in the price of gas. When we were brought into contact with the Imperial Gas Company, which was the company which we had particularly to do with, in a previous Session, we opposed them.

3917. I believe they submitted to a reduction of 4 *s.*, as the maximum price?—Yes, voluntarily; they stood out for 4 *s.* We thought they ought to come to 3 *s.*, but they made out a case before the House of Lords that their 10 per cent. dividend could not be maintained if they reduced the price to 3 *s.*

3918. Did they consent to improve the illuminating power and purity of the gas?—They did.

3919. And a clause is put into the bill to that effect?—Yes; the opposition cost us several hundred pounds.

3920. You do not expect to administer the local government of St. Pancras without expense?—Certainly not; and we are always willing to take our fair share.

3921. You did not obtain any authority from your Board to expend any money in watching over the interests of your parish before the Gas Committee, because the City of London agreed to conduct your business at their own expense?—We gave them a moral support.

3922. Did it occur to you that the City of London had objects of their own to obtain, and that they were not therefore the best guardians of the interests of your parishioners?—I think we were rather distracted with the other opposition to the Imperial Company, which we considered more personal to us than the general question. We were endeavouring to obtain for our ratepayers concessions from that company; we did not feel that we could advise that the gas companies should be bought up; I think our vestry would scarcely be prepared to do that.

3923. Are you aware that the main purpose for which that committee was appointed was to inquire into the working of the general Gas Act?—Yes.

3924. Therefore this question did affect the interest, not only of your vestry, as regards the lighting of the parish, but every inhabitant of the parish who desired to be supplied with gas?—Yes.

3925. Did it not occur to you that it was desirable that you should take some means to protect those interests before the Committee?—It probably would have been very proper, but on a previous occasion, when the districting Act was passed, we expended a considerable sum of money, which was very seriously objected to.

3926. Did your vestry, on that occasion, act officially; was there any constituted authority for the purpose of assisting in obtaining that Act?—We were not represented by counsel, at that time, individually, but in concert with others.

3927. Was there any regular concerted action, or was it merely the spontaneous act of some agitators?—It was a concerted action, by means of the various vestries, each vestry contributing a certain sum, which I believe in the Act was made a legalised payment out of the rates.

3928. Did they contribute proportionately to the rateable value, or did they merely give a donation to encourage the agitation?—I think a sum was assessed by the Metropolitan Board.

3929. That

3929. That was after the Act was passed, but I am speaking of the antecedent period, when the Act was being applied for; was it merely a donation given to the committee of agitation, or did you contribute a sum according to your assessable value?—I think there was an undertaking on our part to bear a fair share of the expenses. There were sums of money given from time to time to the parties conducting the opposition, and we rendered ourselves liable for a fair proportion of the expenses. We thought that was a less expensive mode than going on our own bottom entirely.

3930. Are you aware of what afterwards took place for the protection of the interests of the inhabitants before the Committee that sat during this Session?—Yes, there were some most important concessions.

3931. Were you there?—I was not.

3932. Are you aware whether any of the parishes appeared, for the purpose of protecting the interests of the parishioners?—Our parish did not appear.

3933. You trusted this entirely into the hands of the City of London?—To the City of London, who were acting in concert with our own delegates, who met from time to time at the Guildhall.

3934. Has any report been made to your vestry of the result of their endeavours?—No. We have seen the result from the public prints. I may say that I drafted a letter which our vestry clerk forwarded to you, and which, I believe, you have perused, indicating the evidence to be offered. I think my examination should rather have preceded that of the last witness. There are many points on which I differ from him.

3935. Do you think, having regard to the difficulties you have experienced when the former Act was obtained, that it is expedient that the vestries should watch over the interests of the inhabitants with reference to the supply of gas, or that the Metropolitan Board should do so?—I think we should consider ourselves safe in the hands of the Metropolitan Board. The Metropolitan Board has always shown an activity about those matters. They are fully alive to our interests. I think it is a pity to expend money in driblets on all sides. If the Metropolitan Board drew upon us for our proportion of the expenses, I think it would be a great saving.

3936. You think that they should undertake the duty for the whole of the metropolis, rather than that the Boards should be left to make a concerted action by delegates, and so on?—Yes; there is a great deal of difficulty and jealousy. If St. Pancras, for instance, starts anything, and addresses a circular letter to the different vestries, perhaps they get replies from only one-fourth of them, acquiescing in the proposal.

3937. There is no power to compel the parties to pay any expenses rateably?—Not at all. We were advised that the ratepayers might object to any contribution that we made. Some persons said that it was an illegal expenditure; probably that was said in the interests of the gas companies.

3938. Do you think that the same observation applies to the supply of water in the metropolis?—I think so, inasmuch as we have no companies supplying us entirely. The New River Company supplies a large portion of London, including the greater portion of St. Pancras.

3939. You think that if a question arose with reference to the New River Company, it would be better for the Metropolitan Board to act on behalf of all that portion of the metropolis that is supplied by that company?—I think so.

3940. Are there any other branches of local administration not now vested in the Metropolitan Board that you think would be better left with it?—I think not. I should be indisposed generally to increase their powers. There is considerable jealousy, on the part of the vestry, to increase their powers. There has been a talk of an appellate jurisdiction. If such a jurisdiction was given, the position of the vestries, which is not very high at present, would be reduced to *nil*. We should only have the unpleasant duty of collecting their rates and handing them over.

3941. You think that where concerted action is required, and where a contribution might be needed from the different districts, it would be desirable that the Metropolitan Board should act?—Certainly.

3942. For the benefit of all parties concerned?—Yes. They are a well organised and powerful corporation, and their dictum would probably be heeded by Parliament, more than the disjointed action of the smaller bodies.

3943. If a railway company desire to carry a railway through some part of London, do you think it desirable that the Metropolitan Board should undertake the duty of watching over the interests of the inhabitants?—We are rather peculiarly situated with regard to railways. We are constantly open to railway schemes, and we have organised from time to time a successful opposition to them, that is, an opposition for the sake of protection. I think that Parliament might aid the parishes generally, by insisting that in all Railway Bills certain clauses should be inserted. We find that railway companies will present Bills to Parliament, not containing a single clause which we desire, but which we ultimately obtain, though at the cost of several hundred pounds.

3944. Do you think it is possible to prepare clauses that would meet all the various circumstances of the metropolis, when a railway company wants to construct a line through any of the parishes?—I think that public Boards, like the vestries, have only the right to protect public interests with reference to roads, open spaces, rates, sewers, and so on, on which public money is expended; but I do not think they should protect private interests.

3945. In protecting those interests, is it not necessary to have clauses suitable to each project as it arises?—I think general clauses would suit. The Lands Clauses Consolidation Act is found to apply to all railway matters. I think that Parliament might draw up standing orders, which would embrace all that any parish might require.

3946. The Lands Clauses Act contains all the general clauses suitable for the country at large?—Yes.

3947. Do you want special clauses departing from the general law?—Yes. These clauses are all of one kind, and we get them inserted on every possible occasion. It is only a concession on the part of the company after negotiation, and the employment of professional witnesses, counsel, and so forth, at a considerable expense. This Session our expenses may be 1,000*l.* in protecting our interests before Parliament.

3948. Have your professional advisers been able to prepare general clauses to meet all cases?—Yes.

3949. Have

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3949. Have they submitted them to the Board of Trade?—Yes; and they have been adopted by other parishes, and are known as the St. Pancras' Clauses. Mr. Cooper is a very experienced man in all those things, and he has a set of clauses which he always requires to be inserted in any Railway Bill.

3950. Are you aware that a public Bill is before the House on this point?—Yes.

3951. Why do you not submit your clauses to the President of the Board of Trade, by whom that Bill is introduced?—Mr. Cooper has done so; and there was one particular clause in the Bill which was altered, with regard to damage inflicted on property and compensation for loss of business.

3952. Mr. *Locke.*] There are some clauses, I think, proposed by Mr. Harvey Lewis?—That is the one relating to compensation.

3953. *Chairman.*] You stated that you did not concur in some of the evidence that has been given by the gentleman who was last examined; will you state shortly on what points you differ from him?—I differ from him especially with reference to sanitary matters. My friend scarcely sees his way to any amendment.

3954. Do you think that the law is sufficient for the protection of health in the metropolis, or do you think that any change should be made?—I think that the law is, in a great measure, sufficient, but there is a great difficulty in getting it enforced. The magistrates are indisposed to enforce penalties against parties, but are rather inclined to sympathise with them. I find that when we summon the parties, they often give promises of amendment which they do not fulfil. The magistrates do not like to arm the vestries with the great powers which the law in some cases gives them.

3955. You do not find yourself supported by the magistrates in enforcing the law?—Just so. It might be a question for consideration whether Parliament might authorise the appointment of several assessors, who should be the parties to appeal to in these matters.

3956. Do you think that if the justices of the peace were invested with jurisdiction in this matter, as they are in some others, they would form a better tribunal?—I almost think that that would be preferable. The police magistrates do not like to be troubled with these matters.

3957. Is there any other difficulty in enforcing the sanitary provisions of the law?—There is one point with regard to the destruction of property unfit for human habitation; I have filled the office of chairman to the Sanitary Committee, and, in the course of my duty, I have seen many places in St. Pancras utterly unfit for human habitation.

3958. Do you mean that the houses themselves were so constructed as not to be fit to be inhabited by any human being?—They were originally constructed, perhaps, for one family, but you have half-a-dozen families residing in them now, with one water-closet, one water-butt, and so on.

3959. You mean that such a house would be fit for the habitation of a single family, but that it is overcrowded with inhabitants?—Yes; and in a filthy condition; I especially call attention to some of the courts that run out of Judd-street; the freeholders are the governors of the Foundling Hospital.

3960. Do you mean that the houses are unfit for human habitation, or that they are overcrowded?—I think that they are unfit for the number of inhabitants crowded into them; for instance, there is a small spiral staircase, so that you would almost run the risk of breaking your neck in going up; the walls are loaded with filth; the windows are minus certain panes of glass, so that paper and rags have to be stuffed in, and the basement is extremely damp.

3961. The houses are in bad repair, and are overcrowded?—Yes; therefore they become very unhealthy, and may be called fever dens.

3962. Do you consider that, if the houses were in good repair and only inhabited by a proper number of persons, they would be unhealthy?—No; if those things were attended to.

3963. Have you power to prevent overcrowding?—There is a great difficulty in the way. I am a guardian of the poor, and I have known a workman come before us with a large family. He is asked, "How did you come here"? and the reply has been, "We have been turned out by the parish, and our things were put out into the road." These people had no habitation, and they were obliged to come on the rates. There is somewhat of hesitation on the part of the local authorities to drive these people into the workhouse.

3964. Have you any power to turn the people out, or to prescribe the number of persons who shall live in a house?—Yes; the medical officer of health makes a deposition before a magistrate, and an order is made thereupon if the magistrate is satisfied that the house is unfit for human habitation.

3965. Mr. *Locke.*] That is a proceeding under the Common Lodging House Act?—Yes.

3966. *Chairman.*] It is a proceeding taken in consequence of a house being in an unclean state?—And crowded.

3967. Is there any power with regard to merely overcrowding?—I think there is a certain cubic space specified.

3968. That is applicable only to the Common Lodging House Act?—I presume it is.

3969. A house, therefore, that is not registered as a common lodging house is not under any control with reference to the number of its inhabitants?—Only the control that the landlord chooses to exercise himself.

3970. Therefore, in order to remedy the evil of which you complain, it would be necessary that these houses which are inhabited by so many families, should be brought within the operation of the Common Lodging House Act?—I think so; I think it would be an improvement in the law.

3971. If that were done, the evil of which you complain would be remedied?—So far as that went, when fever breaks out in a district, there is no power at present to enable the medical officers of the parish to order that the poor persons should be sent to the fever hospitals, we are willing to pay for it; but we cannot induce them in many instances to go; one of the local medical men told me that, in most cases, the people die when they are treated at home, there is no power to compel them to go, and they would rather be nursed by their own friends; in this way they propagate fever amongst themselves until they are nearly all stricken down.

3972. In order to prevent or cure the fevers existing, and prevent the spread of them, it would seem to be necessary that the local

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Boards should have the power of removing persons afflicted with fever to some other place?—Yes; under the certificate of a medical man.

3973. In that case the parish would have to maintain the patient?—Yes; the parish does not object to that, we would rather do so than run the risk of propagating fever.

3974. Do you think that that is a provision that could be carried out in a court inhabited by Irish people, for instance; do you think that the parish could come and forcibly take away the father of a family, whether they liked it or not?—That would no doubt be a matter of difficulty, and sometimes of danger, but it is a question for Parliament to consider, whether, for the interests of the community at large, it should not be done.

3975. I am asking you, practically, whether you think that sort of power could be exercised without creating some disturbance?—I am afraid it might cause some disturbance, but my medical friends all inform me that it ought to be done, in mercy to the poor themselves, so that there may be a chance of saving their own lives and the lives of their families.

3976. Are there cases in which the parish has offered to do this, and the people have refused to go to the hospital?—Yes; the district officers are authorised to send patients to the Fever Hospital, and we will pay for them. The medical officer says, "You cannot be properly attended to in your own dwelling, you had better go to the hospital," but they will not go in many instances.

3977. But in cases where medical relief is not given by the parish (and that ought to be the case with every industrious workman in the metropolis), what would you do?—Such a case does not come under our observation. I have rather looked at it in this way, that those who are unable to provide medical relief for themselves, have scarcely a right to prescribe conditions on which relief should be given. If they call upon the public to aid them in sickness, the public should have a right to give that aid in the best manner.

3978. Are there many working men in London who are able to provide for themselves if they spend their wage economically?—I should think there are many.

3979. Mr. *Tite.*] That would not apply to labourers?—No; but there are mechanics who earn high wages.

3980. *Chairman.*] What are the class of people that you think are not able to provide for themselves?—Costermongers, perhaps, small laundresses, and labourers generally; I do not think they are able to meet the contingencies of sickness at all.

3981. What are the wages of labourers in London?—About 1*l.* a-week.

3982. Mr. *Tite.*] The dock labourers have less than that?—Yes.

3983. *Chairman.*] Is there any other point on which you wish to give evidence?—With regard to the election of vestrymen, I cannot altogether coincide with my friend. There is very little interest taken in the elections by the ratepayers at large; that is my opinion. I think the term "vestry" which was adopted in Sir Benjamin Hall's Act was a very unfortunate one, inasmuch as it was allied to the select vestries which had the character of being great jobbers and very corrupt. The number 120 is, I think, unnecessarily large. If the number was reduced I think there would be more competition, and we should have a larger number of qualified men. There is quite sufficient administrative ability in the vestry to guide the deliberations; but many persons are induced to go on the Board simply because they are asked, not because they are of much use. If the numbers were reduced I think there would be more competition, and we should get a different class of persons.

3984. Each vestryman would then have to undertake more duty?—No; the work is really done by one-half the vestry, or less than that.

3985. What would be the ground of competition?—If there was only one vacancy instead of two, there could be only one man to fill it.

3986. You say that they go on because they are asked?—Yes; you must make up the full number of 120. Although the power of the vestry is very considerable, there is no status acquired by the members.

3987. No dignity?—No dignity. There is no difficulty to get justices of the peace.

3988. Why?—That is an office of dignity and importance; I think the duties performed by the vestries in the local government of the metropolis are quite as worthy of dignity as those of the justices of the peace.

3989. You think that some means ought to be devised to make the position of administrator of local affairs an honourable one?—Yes.

3990. More honourable and dignified than at present?—Than it appears to be regarded by a portion of the press and in Parliament; some unkind expressions have been made with regard to the vestries as to their incompetency and so on, but, in my opinion, local affairs are well administered.

3991. What would you call the vestry?—I think that the old English municipal form of "common council" would be more attractive; I think that there are many men in St. Pancras well qualified to assist in the local government, who, if they had the opportunity of becoming mayor of St. Pancras, might offer themselves as members of the Board.

3992. You think it would be desirable to call the vestry "the common council"?—In my opinion it would.

3993. Would you like to be called an alderman?—I do not know that I should be particularly ambitious; I take an interest in these things, because it is my fancy; I do not know that I should take more interest if I were an alderman.

3994. You think there ought to be a mayor?—I think it would be an object of ambition to certain persons who do not care to become simply vestrymen.

3995. Mr. *Mill.*] Do you not think that that would be still more the case if the area of jurisdiction were increased to a certain extent?—That, as a general principle, would be the case, but St. Pancras is a large city; as it is, there are 200,000 inhabitants in it, and probably in 20 years there will be 300,000.

3996. Do you not think that if the metropolis were divided into municipal districts about the size of St. Pancras, containing 200,000 or 300,000 inhabitants, it would be an improvement?—Yes; and I think the governing bodies would have great importance in the public eye.

3997. *Chairman.*] Do you think you could have a mayor without assigning some annual salary to maintain his dignity?—In country towns, I believe, there is no sum set apart to maintain

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maintain the dignity of the mayor, but, I believe, they fine him 100 *l.* if he does not serve.

3998. Mr. *Tite.*] Are you aware that in some cases there is an allowance made of 200 *l.* or 300 *l.* a-year?—That does not come within my own knowledge.

3999. Do you think it is desirable to spend the money of the ratepayers in maintaining the dignity of the mayor, aldermen, or other person in the parish?—I do not apprehend that there would be any very great expense. You were just now alluding to the fact, that there was no properly organised person to represent the vestry; now the vicar is by law the chairman, but he has never been in the vestry since he has been vicar; he stands in the way of somebody else.

4000. You think it would be desirable that there should be a more precise municipal organisation?—Yes.

4001. With a recognised head?—Yes.

4002. Whatever his title might be?—Yes; I think it is an unfortunate thing to be importing ecclesiastical authority into secular matters; I do not think the vicar should be chairman of the vestry *virtute officii.*

4003. Is there any other point on which you wish to offer evidence?—I may say that the vestry of St. Pancras have not shown themselves unmindful of the public good; they have expended a large sum of money, 40,000 *l.*, in the purchase of a cemetery at Finchley.

4004. They were obliged to do that, I presume?—No.

4005. They were not allowed to bury people in the parish?—We could have made a contract with other cemetery companies; the one at Woking would have been glad to arrange with us. We are only obliged to provide for the paupers, not for the general public.

4006. Do you make a profit upon the vestry burial grounds?—Yes, 1,250 *l.* a-year, over the working expenses.

4007. Then that is not a burden to the parish?—It has been capital that has been sunk; we have borrowed 40,000 *l.*, and have repaid nearly two-thirds of the amount. We call upon the poor-rate to the extent of about 1,000 *l.* a-year, and this, together with the profit of 1,250 *l.*, goes to pay the capital.

4008. One thousand pounds a-year would represent your pauper burials?—They would not cost us anything like that; at the end of 20 years, from the establishment of the cemetery, we shall be possessed of a valuable property, and I dare say 2,000 *l.* or 3,000 *l.* a-year will go to the aid of the poor's-rate. Another thing we have done is, to negotiate a loan of 10,000 *l.* to erect baths and wash-houses; that shows that we are anxious to benefit the public at large, and not in a niggardly way, when the object is a good one.

4009. Mr. *Mill.*] Have you the power of taking advantage of the "Public Libraries' Act"?—We have not put it in force.

4010. Mr. *Tite.*] There are a great many circulating libraries in St. Pancras?—Yes.

4011. I suppose nobody is prevented from getting a book if he wants to read it?—I should think not; there are libraries of various kinds.

4012. The people can afford to pay for all the literature they are likely to read, I suppose?—Yes; the wealthy people can go to Mudie's, and other places.

4013. Is there anything more that occurs to you?—I would call attention to the condition of the roads in St. Pancras. We have borrowed, besides our current rates, a sum of nearly 100,000 *l.* since Sir Benjamin Hall's Act, for the purpose of paving with granite. I mention these things, as it is stated that we totally neglect our duties; that I dispute.

4014. You consider the parish to be well paved, generally?—I do not think there is any better in the metropolis. If you go along Hampstead-road, High-street, Camden Town, Euston-road, and Gray's Inn-road, you will see they are all well paved. It has been done by borrowed money at great expense; but we assume that there will be an ultimate saving, macadmised roads being inadequate to metropolitan traffic.

4015. Is there any other matter on what you wish to speak?—There is no difficulty at all about where the boundary of our parish runs. We have an arrangement with other parishes to divide the expense. There is no occasion for any further powers, in my opinion.

4016. Mr. *Locke.*] I believe the adjoining parish to you is Marylebone?—Yes.

4017. Is it by any special Act of Parliament that they adopt a particular name for their vestry?—They have a local Act.

4018. Are they called by that local Act a representative assembly?—No; it is the fashion of the "Observer," which calls the vestry a representative Council.

4019. Why do you not call yourselves by the same name?—That is for the "Observer."

4020. You do not think that you acquire sufficient dignity by being put into the paper under that title, but you want an Act of Parliament for it?—I do not say that I desire any alteration, but I think if there is to be any alteration it might be in that direction.

4021. You have stated with regard to some of the houses that are unfit for human habitation that they would be wholesome enough, but that they are over-crowded?—And filthy also.

4022. And that is the reason that they are unwholesome?—Yes.

4023. But are there not likewise houses in such a situation, that if you kept them clean, or did whatever you chose to them, they would still be unhealthy, inasmuch as they are in narrow courts and passages, so that a sufficient quantity of air cannot get to them?—I think there are such places, but they have been built many years ago. I apprehend that the Building Act would not allow such places to be built now.

4024. Those places existing, do you know of any other remedy than that of pulling them down and building up other and more wholesome habitations in their places?—I think, for the public good, that that should be done; but the *modus operandi* ought to be carefully gone into.

4025. Do you think there is any other remedy than that of pulling them down?—No; I think it would be a blessing if they were burned down.

4026. You have spoken of turning the people out from those houses that are overcrowded; can you suggest any place where they are to go?—No; they will require assistance.

4027. If they had no assistance, they would have to live in the street?—Quite so.

4028. Therefore, it is not because they particularly like it that they overcrowd themselves in these houses, but if they wish to have a roof to cover their heads, they must go into those places, there being no others for them?—Yes.

4029. You

4029. You have heard the suggestion thrown out with regard to the propriety of the local authorities pulling down these houses and raising a rate, having an opportunity of borrowing money of the Government at 3½ or 4 per cent. to rebuild those places; do you think that would be a good plan?—I think it would be the only plan.

4030. If it is the only plan, and a beneficial result will follow, it must be a good plan?—Yes; I think the objects to be obtained would be so great.

4031. And that is the only mode of obtaining them?—Yes.

4032. You therefore think that it ought to be done?—I think that Parliament, in its wisdom, should prescribe very carefully the mode in which it should be done, in order that it may not be turned into jobbing.

4033. Are you aware that there is a Bill before Parliament for that purpose?—Yes; I should say that the vestries, probably my own vestry, would scarcely endorse my views. They are afraid of being called on to dip their fingers into the pockets of the ratepayers.

4034. Are you aware that this has been actually done at Liverpool; that they have a local Act, under which they take down all these places which are dangerous to health?—I was not aware of that.

4035. Mr. *Tite.*] You think, if your vestry was reduced to 60, it would induce a little inclination to seek the office as something honorary and useful?—I think so.

4036. Because 60 persons do the business, after all?—Yes; the average attendance at our ordinary meetings is somewhat under 60.

4037. Would you like to have all the elections annual, and house-to-house voting?—They are annual now for one-third of the members.

4038. Then that is triennial, as regards the individual?—Yes; one-third go out annually. I would not disturb the present system in that respect.

4039. Would you like to have an annual election for everybody; aldermen, common councillors, and so on?—No, I think not. I think you had better retain the services of the experienced ones; they would learn something in 12 months.

4040. You think that an annual election of all these officers, by whatever name they might be called, would not be so good as the present system?—It would be attended with very great inconvenience.

4041. Is there any competition in your parish?—Very little.

4042. Have you ever a contested election?—Yes. When the Act came into operation a large number of professional men associated together, forming a party, and they carried the day; a great many persons of culture, education, and position, formed the vestry, but professional men, as a rule, were not able to attend to these things, and they fell into the hands of others.

4043. Mr. *Mill.*] Do you not think that, even if the elections were annual, the same persons would generally be re-elected, unless they had shown themselves incapable?—Very likely. I have been elected for the fourth time. Unless there is any special objection, I think the members who are at all useful would be retained.

4044. Mr. *Locke*] Are you aware that the City of London Common Council is elected annually?—Yes.

4045. And that the members are sometimes elected for 30 years successively?—Yes.

4046. *Chairman.*] Do you think that if the whole of your parish elected a member to the Metropolitan Board of Works, the office would be elevated to one of dignity?—I think it would not be worth the expense, which would be enormous. No gentleman would care to go to such an expense; it would cost him, perhaps, 500*l.* to get in.

4047. If part of the parish elected a member, do you think the office would be sought after?—I very much question if that would be any improvement. I think the expense would be a great obstacle.

4048. Mr. *Tite.*] Would not trouble have something to do with it?—It would be a very great trouble; sending circular letters to the ratepayers would cost 100*l.*

4049. *Chairman.*] You do not send circular letters, with reference to the election of members to the vestry?—No, that is done in wards.

4050. Then why should you do it in the case of the election of a member to the Metropolitan Board?—Very few persons attend these meetings. I was elected a short time ago, and there were 20 persons, including the four who were to be elected; there were only 16 spectators.

4051. Mr. *Mill.*] Would it not be necessary, if there were various candidates, to send circulars to the ratepayers?—I think they would do so. When we fought by parties we did so; we spent a great deal of money. A contested election used to cost, I daresay, 700*l.* or 800*l.* on the two sides; we were obliged to spend a great deal of money; we had to bring up the ladies in carriages.

4052. *Chairman.*] Do you think that the best mode of election is that by voting-papers, as practised in the election of guardians, or election at a meeting?—I have no experience of the election of guardians. Our vestry appoints the guardians annually; the custom is now to vote by papers.

4053. You have had no experience of that mode of voting?—No.

4054. Mr. *Tite.*] In each ward the names of the candidates, and the fact of the vacancy, are announced regularly by the papers?—Yes.

4055. It is suggested that you have issued circulars; is that done by the vestry itself?—No; they merely put notices on the church doors.

4056. They do not send notices from house to house?—No; the Poor Law papers are submitted by the parish authorities, and the ratepayers cross out the names of those whom they do not wish to vote for in Poor Law unions, but not in St. Pancras, being under a local Act.

4057. Mr. *Mill.*] The vestry is not elected by voting papers?—Yes, when there is a contest; but there must be personal attendance.

4058. Mr. *Tite.*] It is by ballot, is it not?—You need not show who you are voting for; you fold up your paper and put it in.

4059. Mr. *Mill.*] If the papers were collected from house to house, it would not be necessary to bring up the ladies in carriages?—There would be no necessity for it.

4060. Mr. *Tite.*] How are the police managed in your parish?—By the Commissioners.

4061. You have no power?—We have no power; all that we have to do is to pay 22,000*l.* a-year for the maintenance of the police.

4062. Is the regulation of the traffic well managed in connection with the great railway termini; have you anything to complain of?—I

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do not think so. I think there are not sufficient policemen; but that, I suppose, would be met by saying that there is not sufficient money. I do not think we have enough policemen in the outskirts; if you want a policeman you can never find one.

4063. You mean that that is a general question of money?—Yes.

4064. You pay what you are asked to pay?—We pay what the law requires us to pay.

4065. Do you get all for it that you want?—I think not; I think that in the outskirts there are not sufficient policemen.

4066. Mr. *Knatchbull-Hugessen.*] Has any application been made to the Chief Commissioner upon that point?—Not latterly; the police authorities have said: "We hear that there are thieves and rogues in such a place, and we are obliged to put an extra force to watch them."

4067. Mr. *Kekewich.*] Are there any building societies in your parish?—Plenty.

4068. Building on speculation?—The building societies receive their money from the subscriptions of the members; there are borrowing members and investing members.

4069. Are there a great many houses built in that way?—A great many in the northern part.

4070. What class of houses are they?—They are not so good as I could wish; in fact, our parish has been spoiled in a great measure by the sale some years ago of Lord Southampton's property, which has been cut up into a variety of freeholds; the rule is everybody for himself, and they build an inferior class of houses.

4071. You have said that many of the people living in the crowded houses are sent to the hospitals when they catch the fever?—Yes.

4072. Are those free hospitals?—No; we pay a shilling a-day as long as they remain; and we have sometimes offered to give them new clothes and bedding, if they will give up their old ones to be destroyed.

4073. The vestry does not give any annual subscription?—No; the directors of the poor have recently subscribed 50*l.* to the Fever Hospital; they are authorised by the local Act to do so. The hospital sends us in a bill quarterly for the number of patients, so many days, and we pay.

4074. Sir *William Gallwey.*] Have there been very great complaints made against St. Pancras, as regards the treatment of the casual poor and the pauper sick in the workhouse infirmaries?—There have been allegations made, but they have not been sustained. Mr. Farnell has said that ours is the best infirmary in London. We have two resident medical men, a dispenser, and a staff of paid nurses.

4075. If anything of that kind had occurred, it would be likely to render the poor suspicious, when you asked them to allow you to remove them to any public institution, such as the Fever Hospital?—I think in our workhouse they are treated with great liberality and humanity; there is no inclination to put the screw on at all; there is a liberal expenditure.

Mr. Robert Shafto Hawks, called in; and Examined.

Mr. *R. S. Hawks.*

4076. *Chairman.*] Have you come here by the direction of the vestry of Rotherhithe?—Yes.

4077. Are you Clerk to the Local Board at Rotherhithe?—Yes.

4078. It is a Board, I think?—It is a vestry under the Metropolis Local Management Act.

4079. Is it only one parish?—One parish; St. Mary's, Rotherhithe.

4080. I believe it has a population of 24,500 persons, according to the last census?—Yes; it has about 26,000 now.

4081. And the annual rateable value is 103,000*l.*?—The last rateable value is 104,500*l.*

4082. How many vestrymen have you?—Twenty-four, besides the *ex officio* members.

4083. Are they elected in wards or by the whole parish?—By the whole parish; it is too small a parish for wards.

4084. What is the area of the parish?—About 870 or 880 acres.

4085. Is much interest taken in the election of vestrymen in your parish?—Yes; we have, considering the smallness of the parish, considerable meetings at each election.

4086. What means are taken to notify the election?—The day of election is published by placards; we issue about 500.

4087. Are the placards posted?—We send them all over the parish, and they are placed in the shop windows.

4088. They are delivered to such of the shopkeepers as are disposed to exhibit them?—Yes.

4089. Do you think it is generally known when an election is to take place?—Yes.

4090. Are more candidates proposed than are to be elected, or do you find that there is generally a limited number?—Generally there are more than twice the number proposed.

4091. Is the election decided by show of hands, or by an arrangement?—By a show of hands.

4092. Is there much interest taken in the election?—There is a good deal of interest taken at the time, but we have never had a contested election.

4093. That is, a poll has never been demanded?—No.

4094. But there has been a competition in the room?—Yes; a very great competition.

4095. Are speeches made in proposing the candidates?—Very short speeches; the names are merely put up. In a small parish like ours, the people are well known to each other.

4096. Are reasons assigned why candidates should be rejected or elected?—Yes; if any parishioner feels that there is an objection to any person being a vestryman he states it at the meeting.

4097. What are the class of persons elected in Rotherhithe generally?—Very diversified; we have ship-builders, surgeons, retired tradesmen, builders, and shopkeepers; old inhabitants in the place.

4098. Are the inhabitants of Rotherhithe persons generally engaged in business?—Yes; and mostly in a large way of business.

4099. Have you many inhabitants living on their means?—We have several persons who were tradesmen who are now retired, and do not follow any occupation.

4100. Do you consider the persons elected to be a fair representation of the class of the community from which they are drawn?—Yes, a very fair representation, indeed. The only thing

we have not is a representation of the large properties. There are several large wharves and granaries, the rentals of which are very high.

4101. Are the persons elected generally assessed much above the requisite qualification?—Yes, with very few exceptions.

4102. Do you find any disposition on the part of the owners of small property to get elected?—No; certainly not.

4103. I mean the owners of houses of small value?—We do not find that.

4104. Has that class of persons any particular influence in the vestry?—No, I should think not; I should certainly say not.

4105. Do you think there are many of them in the vestry?—Some of them; and those are the gentlemen that are retired, and living upon their property.

4106. That is, they own property of that class to some extent?—Some very small portion of it.

4107. Have the vestry paid much attention to the enforcement of the provisions of the sanitary acts?—Yes; very great, indeed. That is one of the most important things in the parish.

4108. Have you found the law sufficient for the purpose?—No, not in some cases.

4109. What has been your difficulty?—Our difficulty has been that we have no power to turn people out of filthy houses not fit for human habitation.

4110. Do you mean that the people are too numerous in the houses, or that the houses are so constructed as to be unfit for habitation, or that they are dirty and out of repair?—We have all three instances.

4111. You are unable either to reduce the number of the occupants, or to induce them to go out?—In one instance where I was obliged to issue no less than 50 summonses to one owner for over-crowded houses, the magistrate only made one order in about ten cases.

4112. Do you find that any difficulty is interposed by the magistrate in enforcing the law?—If possible, he leans very much to the landlords.

4113. Is it your opinion that the magistrates are not sufficiently ready or well disposed to compel the people to leave the houses?—I think it is more a mistaken act of kindness on their part.

4114. In point of fact, they do not enforce the law with sufficient vigour to enable you to preserve the health of the inhabitants?—No; we are of opinion that they do not sufficiently enforce the law.

4115. Do you think it would be desirable to transfer that duty to justices of the peace who administer the municipal law?—I am afraid that would not work.

4116. You think you would be no better off?—I am afraid not. There would be another difficulty in our case, though it might not apply to many districts. We have only one justice of the peace, and he is very seldom in attendance. The great thing, with regard to over-crowded and filthy houses, is to have your remedy as speedily as possible.

4117. Have you any local Act still in force?—We have no local Act except the Act relating to the performance of the duties ordinarily discharged by churchwardens and overseers.

4118. Under that Act, is there a vestry appointed?—Under that Act the churchwardens and overseers can, with the consent of the vestry, appoint surveyors to value the parish.

4119. Under that Act another vestry is appointed?—It is merely for rating. There is no election.

4120. The churchwardens and overseers, under that Act, have the power to rate the parish?—They have power to call in surveyors for the purpose of having the property properly assessed.

4121. How are the churchwardens and overseers appointed?—They are appointed by the common law; the Local Act does not give any power.

4122. They are appointed by the ordinary open vestry?—By the vestry under the Local Management Act.

4123. You consider that the election under the Local Management Act is superseded by the other Act for the election of churchwardens and overseers?—The election is under the Local Management Act.

4124. What is the process adopted in rating the parish?—With regard to large properties we call in, with the consent of the vestry, some professional gentleman; with regard to small properties, where we have many houses of the same class, there is a valuation committee appointed to assist the churchwardens and overseers, and they go out and value that class of property.

4125. Is the poor rate levied upon the basis of the assessment so made?—Yes.

4126. Do not the guardians take any part in making this valuation?—No; they have no power to do it, they have merely the power of making an order upon the churchwardens and overseers for a certain sum of money.

4127. Under the Union Assessment Act?—We are not under that Act.

4128. Do you consider that you are exempt because you have a Local Act?—We are a parish; we are not in union.

4129. Does not the Act extend to all parishes, except those that have Local Acts?—No.

4130. Have you any particular rule laid down for ascertaining the value; do you make any definite reduction from the gross rental?—We get the best information we can obtain. A committee call from house to house to ascertain the rents that are paid to the landlords, and they know pretty well what reductions are to be made for insurance and general repairs, and they make those deductions from the gross rental.

4131. You have no definite rule?—No.

4132. Do you know the difference between the gross rental and the net rateable value?—I think it is from 12 to 14 per cent.; it may be 15 in some cases. We have some very old property, and some new; at the water-side we have some that requires very heavy repairs, and in other places the repairs are very slight; you are obliged to look at the different classes.

4133. You are referring to the houses built of shingle and wood?—Yes.

4134. For this you make special deductions?—We make larger deductions.

Thursday, 14*th June* 1866.

MEMBERS PRESENT.

Mr. Ayrton.
Sir William Gallwey.
Mr. Kekewich.
Mr. Ald. Lawrence.
Mr. Locke.
Lord John Manners.
Mr. Mill.
Mr. Sandford.
Mr. Tite.

ACTON SMEE AYRTON, Esq., in the Chair.

Mr. William Clark, called in; and Examined.

Mr. *W. Clark.* 14 June 1866.

4135. *Chairman.*] You reside in the parish of St. George's in the East?—I do.

4136. Are you a member of the vestry?—I am.

4137. What is the number of vestrymen in your parish?—Thirty-nine, including the churchwardens and rector.

4138. You are a separate parish, having a separate administration?—Yes; we are in the second division of schedule A.

4139. What is the position of the vestrymen of your parish?—A large portion of them are tradesmen, most of them in a large way of business, employing a great quantity of labour. The vestry includes a brewer, two engineers, two contractors, town carriers (one of whom employs about 150 horses, and is in a very large way of business), a wholesale druggist, several retired gentlemen, and the rest are tradesmen, perhaps about one-half.

4140. Are they elected by the whole parish, or in wards?—In two wards.

4141. What steps are taken to make the election known in your parish?—The notices are given according to the Act of Parliament, and bills are circulated throughout the parish.

4142. Is it generally known to the inhabitants that the election is about to take place?—Very generally; and once or twice we have had severe contests.

4143. At the meetings for the purpose of the election do many persons attend?—Not so many as formerly, I think. Of late years matters have become quieter, and the parish is satisfied with what the vestry is doing, and there is of course less attendance.

4144. How many ratepayers do you think attend the meetings to elect a vestry?—Sometimes a small number, and sometimes a large number, prehaps 30 or 40.

4145. Are these chiefly the vestrymen themselves?—No, I think not, I think there are but few of the vestrymen who canvass for themselves; I have never done so.

4146. Is there any question put when the candidates are nominated, or is there any opposition shown?—There has not been of late years; there was some years ago on the ground of expenditure; the ratepayers thought that we were spending too much money, and that, of course, brought in economists who raised a great outcry in the parish against the expenditure we were incurring.

4147. Who undertakes the duty of proposing the candidates?—Any parishioner.

4148. How do you account for those persons proposed being always acceptable. Is there any preliminary discussion or consideration?—Sometimes; but not usually. Generally they are proposed, and I believe the parish are satisfied that the persons who are now in are doing the best they can, and that there is no mode of getting a better vestry.

4149. Do the vestry themselves, in point of fact consider and suggest the candidates that are to be elected?—Never as a vestry.

4150. Have the vestry generally been of the character you have described, about half tradesmen, and half people in wholesale business, and retired persons with property?—I think so.

4151. Have you any justices of the peace on your vestry?—Not now; we had one at first.

4152. To what do you ascribe the absence of all excitement and opposition to the election of the vestrymen?—To the parishioners being satisfied with the condition of the parish, and the conduct of the vestry, and to the rates not having increased of late years but rather decreased.

4153. Do you take any means of informing the parishioners of the proceedings of the vestry?—We publish annually a report, which the Act requires, and there is a local paper, which circulates largely amongst the inhabitants, and records the proceedings of the vestry.

4154. Do you publish your accounts yearly?—Yes.

4155. And are they distributed to the inhabitants?—To any one who asks for them; we are bound to sell the report by Act of Parliament, for 2*d.*; very few of them are purchased; some are given away; any one who asks is always supplied.

4156. Have you any chairman of your vestry? The rector claims to be chairman.

4157. Does he fulfil the duties of a chairman?—Not very regularly, and the vestry, thinking that a permanent chairman, a layman, was desirable, have always elected a vice-chairman annually.

4158. Have they power under the Act to elect a vice-chairman?—They have no power to elect a vice-

a vice-chairman by that name, but the person so elected takes the chair unless some one moves that another person take it; he takes the chair in the absence of any opposition; it saves the trouble of moving some person into the chair at each meeting.

4159. There is an understanding that some member of the vestry shall be chairman whenever the rector is not present?—Quite so.

4160. But does the rector undertake any responsible duty in assisting you in the conduct of your affairs, or does he merely put himself in the chair when he chooses to come?—The present rector does not take much interest in the affairs; the late rector did; he was generally present, and was a good man of business.

4161. Does the gentleman who, by your understanding is the actual chairman, take any responsible duty in regulating the conduct of your business, or does he merely preside as chairman?—He is the person to whom all the officers apply on all occasions when the Board is not sitting, and the Board generally confirms any act that he has done.

4162. Do you think it is a desirable arrangement for the conduct of your business?—Most desirable for the vestry and the officers.

4163. Do you think that that is an arrangement that it would be expedient to legalize, by giving you the right of electing a chairman?—We requested the Metropolitan Board to endeavour to get such a clause inserted in the last Act.

4164. Do you think that it would facilitate the conduct and management of parochial business to have a responsible head?—Very much indeed, and it would be more satisfactory to the officers.

4165. I suppose there is a good deal of business to be transacted in detail by the officers, and that they desire to have some one to refer to on behalf of the Board?—Yes; the Board only meet once a fortnight, and the officers would have no one whose opinion they could take unless there was a permanent chairman or vice-chairman.

4166. Is the business conducted by the whole Board, or do you refer it to committees?—We have three committees—finance, paving, and sewers.

4167. The entire business is divided amongst them?—The Board is divided into three committees.

4168. Have you any private Acts in force in your parish?—We have a local Act by which formerly the parish was entirely governed, including the poor, and everything but paving; since the poor law has been in force, that, of course, has been transferred to the guardians, who have the sole control of the poor, but the making of the rates still remains with the trustees under the local Act of Parliament, who make all the rates for the guardians and for the vestry.

4169. Then is your parish an union itself?—Yes.

4170. So that you have now three local administrative bodies?—We have two administrative bodies and one which makes the assessment, levies the money and hands over the amount required by the Board of Guardians and the Vestry.

4171. Is it not an administrative body if it collects rates?—Yes, to some extent.

4172. Amongst these three bodies, is the entire local government divided in the way you mentioned?—Yes.

4173. How are the Board of Guardians and the Vestry Board situated in relation to the third body which assesses and collects the rate?—Each makes calls upon them for the amount they require; the guardians make a call upon the trustees for the sum they require for the coming quarter, and the vestries do the same for the half year.

4174. Are the members of the Board of Guardians and the vestry also trustees?—Some of them.

4175. Is any arrangement come to by which they participate in the election of trustees?—No; the vestry elect, and the local Act requires a different qualification; it does not depend upon rating; the qualification of a trustee is a property qualification.

4176. What is the qualification?—£.40 a-year arising out of land in the parish of St. George, in his own right, or in right of the wife, or 1,000 *l.* personal property after the payment of debts, and occupying premises rated at 15 *l.* or upwards.

4177. How is that ascertained?—It is tacitly understood that no person would be nominated as a trustee who was not so qualified; on one occasion, when actions were threatened for something done by the trustees, there were one or two who resigned instantly; but such cases have never occurred again.

4178. Do the trustees make a declaration on oath?—No, the qualification is read over to them and they must take the consequences. They are liable to a penalty if they act without being qualified, and the penalties may be sued for by a common informer.

4179. Do the trustees perform the duty of assessing the parish?—They do.

4180. Are they elected directly by the inhabitants?—No, they are elected by the vestry. The existing vestry having by the Act absorbed all the powers of the former open vestry, it of course has the power of electing the trustees as well as the churchwardens and overseers.

4181. Then, in point of fact, the trustees become a subordinate body to the vestry, by the vestry nominating them?—The vestry elect them.

4182. Then do the vestry generally elect their own members to be trustees, or do they select others?—Some of them, but there have been some who have never been members of the vestry.

4183. Of course, many of the vestry have not the qualification for trustees?—Some of them, very few, not half a dozen.

4184. What steps do the trustees take to assess the parish?—A few years ago we had a professional survey by three surveyors, and the whole of the parish was reassessed. The London Dock Company paying nearly one half the rates, disputes had arisen with them about their assessment, and the parish was entirely re-valued.

4185. What steps do you take to keep up the assessment?—A committee is appointed and the members go round quarterly to observe the alterations, and the trustees sit fortnightly to hear any appeals against rating or applications for relief.

4186. How do you bring new built houses to assessment?—By an assessment committee formed out of the Board of Trustees who review and report to the Board, and as they are all resident everybody knows what is going on in the neighbourhood.

4187. Are any means taken to register improvements in the annual value of property?—The collectors are bound to report any alterations in property.

4188. But

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4188. But apart from alterations in the structure, are any steps taken to record the improvements that take place in the value?—Constant reassessments are going on.

4189. Do you think that the parish is now assessed up to its assessible value?—I think it is very fairly assessed.

4190. What deduction is made from the gross rental?—One-fifth.

4191. Is that uniform throughout the parish?—We have a large quantity of farmed property. Under a local act we have power to farm property not exceeding 15 *l.* rental.

4192. The rate being paid by the landlord whether the houses are full or empty?—Yes.

4193. Rates are compounded for?—Yes.

4194. What deduction is made in respect of that?—Half, I think, and 1 *l.* less, or some rule of that kind.

4195. Is any separate rule of deduction applied to special property used for manufacturing purposes?—We have some very heavy rentals arising from sugar refiners.

4196. Are they dealt with on the principle of one-fifth deduction?—Yes.

4197. Do the members of your vestry attend regularly?—A very large proportion.

4198. Are the committees well attended?—Yes, pretty well.

4199. Do you consider the number too great or too small?—It is quite large enough.

4200. Is it desirable to diminish it?—No, I think as our parish is situated the numbers are a very fair representation of the whole.

4201. Which of the committees superintends the health of the district?—The sewers.

4202. Do they find any difficulty in performing their duties from any imperfection in the law?—Not as regards sewage. With regard to the removal of nuisances there is a difficulty sometimes.

4203. What is that?—We have no power to make the order ourselves. In regard to sewage, we can enter the house and do the work, and charge it to the owner. We cannot do it under the Nuisances Removal Act, except by the order of the magistrate.

4204. You can do it, and charge it on your own judgment?—We can do it in the one case, and charge it on our own judgment, or the certificate of the medical officer. As regards whitewashing, overcrowding, cleansing dirty houses, and so on, I think we ought to have the same power to do the work, and charge the amount to the owner, by taking the rents, if necessary.

4205. Have you found any difficulty in bringing this question under the notice of the magistrate and obtaining the requisite orders?—There is a great loss of time, and a great deal of trouble. The Thames Police Court is always crowded, and half a day is sometimes lost in taking out a single summons. The magistrates have no special knowledge of these sanitary matters, and they often differ widely in their decisions.

4206. Have you in point of fact been unable to carry out the Act, or is the Act carried out in removing nuisances?—We are doing it to a great extent, not hesitating to incur the cost.

4207. Do you think that the question of expense has not influenced the conduct of the Board?—Not at all in such matters.

4208. Are there many courts and alleys in your parish which are inhabited by very poor classes?—A great many, and there are a great many houses which are let out in tenements and contain a great many more persons than they ought to do. If there was a clause in the Act like the one in the Liverpool Improvement Act, compelling owners of small tenements let below a certain sum to register, and giving us the power to enter as the police do the common lodging houses, I think it would be a very great benefit. I understand that there is a Bill brought into the House with some such provision.

4209. Do you mean the Public Health Act?—Yes.

4210. Has there been any unwillingness on the part of your Board to enforce the recommendations of the officer of health?—I think not lately. There is one case which is very troublesome. In the centre of a very close and confined district, there is a dust yard on a contractor's premises, which are very large, and twice we have been obliged to apply to the magistrates for the removal of refuse from streets and markets, which is brought there and stored up, to the great detriment of the health of the neighbourhood. The magistrates make an order for its removal, but when the quantity is 700 or 800 tons, of course it is a long time before it can be removed. The magistrates will not give a prohibitory order to prevent the recurrence of the nuisance.

4211. Mr. *Locke.*] I suppose it is very disagreeable during the time of its removal?—Excessively, and it is dangerous in hot weather.

4212. *Chairman.*] You cannot get the magistrate to limit the quantity?—There is no limitation or prohibition; but when we apply he will give us an order and costs; that however does not really meet the case, the place is unfit for such an accumulation, and it ought not to be permitted; it may be very hard to interfere with a man's business, but it would be better to pay him compensation and let him go elsewhere than allow it to continue.

4213. You think it would be expedient that the magistrates or you yourselves should have the power of limiting the quantity of dust to be brought there?—I think it would be for the benefit of the parish that it should not go there at all.

4214. If it were necessary that it should come there for some purpose, the quantity should be limited?—Yes, or it should not remain beyond a certain number of hours.

4215. Is it not in the power of the magistrate under the Act to make an order of that character?—He says not; it may be doubtful; however, the magistrates are very little inclined to do it.

4216. Lord *John Manners.*] Does it become more offensive the longer it remains?—Yes; it ferments and when it is moved after being a long time there it is exceedingly offensive.

4217. *Chairman.*] The paving and lighting of the parish is sufficiently carried out?—It is very well done; we have spent in 10 years nearly 20,000 *l.* in paving.

4218. Do you receive complaints from the inhabitants of neglect with regard to the paving?—We get complaints with regard to the dust; it is difficult to make the contractors do their duty in fetching away the dust from the houses; the streets are tolerably cleansed.

4219. Have you received no complaints against the paving?—I do not know of one.

4220. With regard to lighting?—I do not know of any; we have occasional applications for an additional lamp; the committee survey the spot,

spot, and if they think there ought to be an additional light they fix one.

4221. Do you think it desirable that the area of administration of your parish should be enlarged by adding other parishes to it?—I do not think so, and it would be very unjust in our case to annex us to the adjoining parishes, Limehouse and Stepney, inasmuch as our paving is all done, and we have paid for it, while theirs is not nearly done, and we should be called upon to pay for theirs after having done our own.

4222. If parishes such as St. Pancras and Marylebone do not find their area too large for administration, why do you think it is necessary to have so small an area as yours?—I think the business is better done; every vestryman can see what is going on and what is wanting in his parish; it is an impossibility in a parish like St. Pancras for the vestrymen to do it; I do not believe that a Board of 120 members will do the work so well as one of 40.

4223. Do you consider that 40 members are necessary to keep an eye upon the paving and cleaning of the parish?—I think it is desirable that there should be a sufficient number to see to every portion of the parish between the meetings of the Board, and I think that is the case with us; our members live in different parts of the parish, and I think the whole parish is constantly under their eye.

4224. Have you taken any part in opposing any of the proceedings of companies in Parliament, affecting your parish?—We have opposed the railways, and have succeeded in every case in getting clauses inserted that we deemed necessary.

4225. Do you think it desirable that the powers of the Metropolitan Board should be extended to enable them to undertake the protection of the interests of the inhabitants with regard to joint stock companies making application to Parliament?—I believe they have a *locus standi* before the House in such matters; if it is necessary to extend their powers it might be useful; I cannot see that they have anything to do with joint stock companies, except so far as they affect the surface; with regard to railways, or Improvement Acts, they have at present power to appear before the House.

4226. Do you think they should have the duty of protecting the inhabitants with reference to the proceedings of gas and water companies?—Most decidedly; and while the companies have unlimited powers at all times to pull streets to pieces, they never can be in that good condition in which they otherwise would be.

4227. Do you think that that power should be vested in the district board of vestries, or in the Metropoltian Board?—I think it would be impolitic to take it away from the vestries, but I think it would be right to give the Metropolitan Board appellate jurisdiction; I think when a person is aggrieved by an order made by the vestry, it would be right that there should be an appeal to the Metropolitan Board.

4228. Have you taken any trouble in preserving any of the open spaces in your parish?—We have; at least certain persons have memorialised the Metropolitan Board to preserve one particular space which is going to decay; but there is a great difficulty about it. The Act of Parliament is not very clear; I believe a case is now pending on the subject; I think the Metropolitan Board or the vestry ought to have power to preserve any open space or square which is suffered to go into disorder or ruin, without regard to the ownership of it in any way. I think that when squares have been dedicated to the public or to the inhabitants around them, for any length of time, they ought not to be allowed to go to ruin for want of an owner, or because the owner neglects to keep them up.

4229. Under the present law, if there is no owner, the Metropolitan Board or the Local Board can take charge of it?—That I believe was the case with Leicester-square, but the moment they took possession, up started a dozen persons claiming ownership; there is very great difficulty about it; I am the member of the Metropolitan Board for the parish, and I have been talking over this matter with the solicitor who hesitates a great deal to make any positive order, although there is no ownership of the square to which I refer in our parish.

4230. What course would you propose to adopt where there was an owner?—I would propose that he should be called upon to repair the property or to resign his ownership; in the case to which I am referring there were plenty of trees in the square, but the boys got over the railings and broke them down; when they were summoned before a magistrate, he asked who was the owner; nobody can show who has the ownership, and consequently those cases are dismissed; that appears to me to be very unsatisfactory.

4231. I think you said that you were a member of the Metropolitan Board?—I am.

4232. And you are appointed by the vestry?—Yes.

4233. Do you think it would be expedient that the inhabitants should be brought into direct relation with the Metropolitan Board by electing members to it?—I do not think you would have so good a selection from the parish generally as you now have from the vestries.

4234. What induces you to think that the inhabitants would not make so good a selection?—I believe a great amount of canvassing would go forward on the part of persons who were anxious to get on to the Board, but who were not the most desirable.

4235. Do you think that the least desirable persons would get elected by canvassing, and that the most desirable would not come forward?—They would not canvass, I believe; generally speaking, where the members of vestries are elected to the Metropolitan Board, they are the best members of those vestries, so far as I have seen, and the most efficient.

4236. Mr. *Locke.*] The members of the vestry are elected by the public?—They are; in the vestries you have efficient and non-efficient members, of necessity, but so far as I know of the constitution of the Metropolitan Board, I believe the vestries elect the best men.

4237. *Chairman.*] You think that the inhabitants would not elect a person of any station to the Metropolitan Board?—I think you would not get more respectable persons (so termed) to canvass for the purpose, while others would do so.

4238. Do you think that the inhabitants would not elect a person without canvassing?—No, I think not in a parish like ours, where there are so many small holders; there is a difficulty in getting anybody to serve.

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4239. Lord *John Manners.*] You have said that you would like either the vestry or the Metropolitan Board to have some power of entering upon these vacant spaces?—Yes, that is most essential.

4240. First, where there is no owner, and secondly, where there is an owner who declines to keep the property up?—Yes, I think that is very desirable.

4241. Could you apply the principle which now prevails with reference to sewage (entering houses and charging the expenses upon the owner) to these vacant spaces, so as to enable the vestry or the Metropolitan Board to incur the expense, and recover it from the owner?—I think if a place has been dedicated to the public the owner should not have the cost of maintaining it; I do not think, if it is taken out of his hands and made public property that he ought to be called upon to keep it up; if he chooses to do it of his own free will, well and good, if not, the place ought to be kept up at the public expense.

4242. Would you take the ownership from him?—Yes.

4243. Mr. *Mill.*] I understood you to say, that there was great difficulty in inducing persons to accept the office of vestryman? There is a difficulty in getting what is called the more wealthy classes to serve; they come into town in the morning and leave it in the afternoon, and even if they were elected, I do not think that they are so conversant with the wants and necessities of the parish as the persons who now form the bulk of the vestrymen.

4244. Do you not think that it is an advantage to a body of that sort to have a mixture of various classes of persons; some of the class you have mentioned, and perhaps a greater number of the classes who are now willing to be vestrymen?—I should be glad to see it so, but I see no hope, make the qualification what you will, of inducing them to serve; I have tried it over and over again; we have had one or two large sugar refiners members of the Board, but they did not stay long; they very rarely attend even when they become members.

4245. Do you not think that if that district was larger, and if the vestrymen were more in the public eye, and more commented upon by the press, if more distinction could be obtained by serving the public in that way, there would be less difficulty experienced in inducing persons of a superior class to serve with others in the vestry?—I have great doubt about it. The same complaint is made with regard to the corporation of the City of London, that the great merchants will not come forward; and certainly if honour and dignity would induce them to come forward, the office of Lord Mayor of the City of London might be expected to do so; but the same complaint is made even there.

4246. Mr. *Kekewich.*] Are the members of the Board of Guardians members of the vestry?—A portion of them.

4247. Any large number of them?—I think perhaps one half.

4248. I suppose the members of the Board of Guardians are amongst the most respectable people in the parish?—I should say that the vestry are more respectable as a body.

4249. Supposing the duty of making an assessment was committed, as it is in the country, to the Board of Guardians, you do not think that they would perform that duty as well as the vestry or a committee of the vestry?—It is a distinct Board which assesses in our parish; the Board of Trustees, acting under a local Act.

4250. They, I suppose, are men conversant with the value of property in the parish?—Yes, most of them.

4251. How many railways come through your parish?—We have only one at present, the Blackwall Railway.

4252. How do you rate that railway?—It is rated at so much per mile; I cannot tell you the exact amount.

4253. Is it rated on the traffic that it takes in that mile, or how?—I do not know.

4254. Mr. *Locke.*] It is the sum supposed to be received in the parish, is it not?—Yes; the assessment was made by arrangement between our surveyor and the surveyor of the railway.

4255. Mr. *Kekewich.*] I suppose the population is very crowded?—Yes.

4256. And poor?—Yes, very poor.

4257. Did your railways displace that population?—Yes.

4258. Do you know where that population has gone?—A portion of it is crowded into a smaller space, and some of it has gone to Mile End New Town and Mile End Old Town.

4259. I suppose that railways coming through your parish, and displacing a very large amount of population, have caused other parts of the parish to be more crowded?—Yes, and the making of the new portion of the London Dock has taken away nearly the whole of the parish of Shadwell, and has driven, of course, the water-side population more into the parish of St. George's.

4260. Do you want accommodation for artisans and people of that class?—Certainly; the overcrowding is very bad.

4261. You have no space, I suppose, in which to build cottages?—We have no vacant space whatever in the parish; it is all built upon.

4262. Of how many acres does the parish consist?—I think about 220.

4263. Mr. *Locke.*] Whereabouts is your parish?—It adjoins Whitechapel on one side, and Wapping on the other.

4264. How many inhabitants does it contain?—50,000.

4265. Then it is not a very large parish?—Not very large.

4266. Is Whitechapel parish larger?—Whitechapel is 20,000 *l.* less in rating.

4267. Have you a great number of houses in which the labouring classes dwell?—There are a very large number of small houses.

4268. How are those houses situated?—In streets chiefly.

4269. Have you any in courts and alleys?—We have some.

4270. Are those very much crowded together?—The alleys are very narrow, crowded, and unwholesome.

4271. In speaking of the removal of nuisances, what is the Act of Parliament under which you perform that duty?—The Nuisances Removal Act, 18 & 19 Victoria, chapter 121.

4272. Under what section of that Act is it that you proceed?—Sections 8 and 12.

4273. Will you tell me what are those nuisances which you are empowered to remove?—"Any premises in such a state as to be a nuisance or injurious to health;" the definition of the word, "nuisance" is "Any pool, ditch, gutter, watercourse,

course, privy, urinal, cesspool, drain, or ashpit, so foul as to be a nuisance or injurious to health; any animal so kept as to be a nuisance or injurious to health; any accumulation or deposit which is a nuisance or injurious to health."

4274. What are you empowered to do in order to get rid of such nuisances?—We are obliged to go to the police court to obtain an order for abatement.

4275. What is the form of the order?—The magistrate, in his discretion, makes an order for the removal of the nuisance within a certain time.

4276. If it is not removed within that time, what is the consequence?—We have again to apply for a summons and a penalty per day.

4277. How much?—That is in the magistrate's discretion.

4278. What is the limit of it?—In trade, I think, 200 *l.*; with regard to the others, 5 *l.*, and 10 *s.* a day.

4279. That only applies to these nuisances, not to overcrowding?—No.

4280. Under what Act do you interfere with overcrowding?—We do not interfere.

4281. Does not the parish interfere?—No it has no power.

4282. Not under the Common Lodging House Act?—No, that is enforced by the police.

4283. We understand that the parish pays no attention whatever to overcrowded dwellings?—Our sanitary officer reports it to the police, and they have power to interfere. What is wanted is, that houses let out in tenements with ten or a dozen families in a house should come under the same category as common lodginghouses.

4284. The only interference with over crowding which can be made is under the Common Lodging House Act?—I belive so.

4285. The sanitary officer gives information to the police, when he observes any overcrowding and the police take action upon it?—Yes, that is his duty.

4286. But with regard to other houses where it can be shown that these people are lodgers?—They are bound to register common lodging houses.

4287. You think there ought to be further powers with respect to the overcrowding of ordinary houses?—Yes.

4288. Houses that are not registered as common lodging houses?—I think they should be registered, and subject to the same law.

4289. In your parish are there houses in localities which are extremely unhealthy, which have been described as fever nests, being unhealthy, not only from the overcrowding but from their structure and position?—There may be a few in the lower town, I dare say, owing to the want of drainage. They are below the level of high water, and consequently there is no constant drainage going on.

4290. Do you think that there are no houses in which these evils might not be remedied if there were proper drainage?—If the overcrowding could be got rid of, and the houses were properly drained, I think there would be very few which could then be said to be absolutely uninhabitable.

4291. Are there no houses that you think ought to be taken down; I mean from their situation. Are there places in very narrow courts where the houses are so close together, that sufficient air cannot get to them?—There are several courts which it would be desirable to throw open, and pull down the buildings.

4292. There are such courts where disease is generated in consequence of the juxta-position of the houses one to another?—No doubt, and the want of cleanliness on the part of the inhabitants.

4293. Even if the inhabitants were cleanly, the houses would still be unwholesome in consequence of their position?—I have no doubt there are some, in which there can be no thorough ventilation.

4294. Have you turned your attention to the consideration of that subject as to whether the local authorities should have the power of getting these houses condemned, and when condemned taking them down, compensating the owners, and rebuilding proper houses in their place?—I have not given attention to the subject so as to be able to offer an opinion worth having.

4295. Are you aware that there is a Bill before the House at the present moment, on that subject?—Yes.

4296. You think it would be an advantage if those places could be removed?—No doubt, there are several courts which it would be a great advantage to have removed.

4297. And the houses rebuilt upon their site?—In some places it would not be desirable that the site should be built upon.

4298. Is there any difficulty in obtaining sites for building houses?—I hardly know of a vacant site in the parish. There are one or two ruined houses which their owners will not build up, which something should be done with.

4299. Is there a sufficiency of houses for these poor people to inhabit?—Certainly not.

4300. Then, if you take down houses in the parish, and cannot find any fresh site, will it not be necessary to rebuild some houses on the spot?—It would be very desirable.

4301. *Chairman.*] You have spoken of houses let out in tenements; do you mean let out in separate floors or rooms?—In separate rooms; not only are they let out in separate rooms, but when a tenant has taken possession of a room, he frequently underlets it to another family, so that there are frequently two families in one room.

4302. How would you manage the registration?—The landlord should be compelled to register.

4303. What would be the exact conditions on which you would say the owner or lessee of a house must come and register?—Whenever the rent is below a certain sum, say 3 *s.* 6 *d.* per week.

4304. Would not that apply to a great number of houses with shops, where they happen to let off a single room at the top of the house?—If they let a room at 3 *s.* 6 *d.* or less per week, I think they ought to be supervised, because persons who cannot pay more than that are unable to protect themselves.

4305. Would not that apply to a great many respectable houses in which only one tenant is taken?—I should think not.

4306. You think that if any one room in a house is let for 3 *s.* 6 *d.* per week or less, the house should be registered and visited by the sanitary officer?—I think so.

4307. Without reference to the number of rooms in the house?—Yes; any person who cannot pay more than 3 *s.* 6 *d.* per week is unable, I think, to protect himself in a sanitary point of view, and requires looking after.

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4308. Have the Board of trustees any separate establishment to perform their duty?—No; they meet in the workhouse, in the Board room of the guardians.

4309. We have been informed that in St. Pancras the whole of the duties of the parish are performed by one vestry, the different duties being discharged by various committees; do you see any objection to having one vestry, with committees for the purpose of discharging all parochial duties?—Except that I should never take part in any poor law administration; I should immediately quit.

4310. But we are told that the poor law is administered by a committee selected from the vestry?—Well, is it desirable that the inhabitants should not vote directly for the guardians, and yet should vote directly for members of the Metropolitan Board; can there be any reason for that?

4311. If they vote directly for the vestry, and the guardians are part of the vestry, they elect the guardians; they form a committee the same as any other?—Certainly; but the vestry would have the power of selecting that committee; therefore, it would be a double election or nearly so.

4312. Would it be more a double election than in the case of other duties performed by your Board by means of committees?—A committee has very little power to act, and there is great jealousy in all Boards against giving acting powers to committees. It occasions a great deal of trouble, because the work has to be done twice over. Persons who have not attended the committee claim to have the same right to judge as those who have given their time to the subject, and frequently an enormous amount of time is wasted in discussing reports of committees. They are not generally accepted with good grace.

4313. Do you find that the duties you have to perform as a member of the Board of Works are somewhat arduous?—They are.

4314. Is it the opinion generally of the members of that Board that the duties they are now called upon to perform are rather too arduous for them to discharge as volunteers?—I have not heard any complaints, but the duties certainly take up a large amount of time.

4315. Do you think it is desirable that the number of members of the Metropolitan Board should be increased to facilitate the division of the duty amongst committees?—The same objection applies. We should have the talk twice over. The more members the more talk.

4316. Do you have committees already?—We have committees already, and a great amount of time is wasted in discussing that which the committees have previously discussed.

4317. If the members were increased would not that admit of a better selection for the committees?—The talk arises from persons who are not on the committees, or have not attended, but who claim to know as much as those who have attended, and refuse to submit to their decision without re-hearing the whole matter. That is constantly the case, even on the Metropolitan Board.

4318. How will that be affected by increasing the number of the Board?—If you increase the number of the Board you increase the number of the committees, and of course there would be a greater number of the Board not on each committee than there was before, and they are the persons who object; or it may be that persons who have not attended come on the Board day, when the report of the committee is brought up, and an hour or two will be wasted in discussing a single report.

4319. That would depend upon the arrangement of the Board with reference to the duties of its committees?—The Board would not commit sole power in any case to a committee. There is a great disinclination to do so, both in the vestries and the Metropolitan Board.

4320. If the Metropolitan Board were considerably increased, would not greater power be given to the committees?—No, I don't think there would.

4321. However numerous the Board might be?—The more numerous the committees, the more numerous the reports that would be brought up, and the more time spent in discussing them.

4322. You do not think that if the Board were more numerous, more work would devolve on the committee?—I believe gentlemen would talk just as much as before.

4323. Lord *John Manners.*] Do you find the present number of the Metropolitan Board insufficient to afford good and workable committees?—I do not; there is generally a fair attendence at the committees.

4324. *Chairman.*] Do they not complain of the great demands made upon their time?—No doubt.

4325. Are they not constantly saying that they cannot perform their duties on account of the great demands made upon their time?—I do not think that they have come to that.

4326. Have you not heard them object to having new duties put upon them because of the time they have to devote to the performance of their present duties?—I have never heard any objection to undertaking any duty.

4327. Mr. *Kekewich.*] Do you say that there was frequently an opposition on the part of the Board to the decisions of the committees?—Very frequently; that is to say, there is an objection to coming to a conclusion without knowing the grounds upon which the Committee reported, so that the matter has to be re-argued. And it is the same in vestries; they will not give up their power.

4328. You think if the number of the Metropolitan Board was increased, it would not work so well?—I really think not. You would have more committees, more discussions, and not any better attendance.

4329. *Chairman.*] Do you think that the administrative affairs of a public body should be carried on without reasons being given?—I do not. It is not always that committees are unanimous, nor is it advisable that their reasons should be made public.

4330. Is it not desirable that a committee should state their reasons fully and publicly to a large audience, for what they are doing?—No doubt generally. But the more discussion that takes place amongst them, the more time is wasted when the conclusion is a foregone one.

4331. Is it wasting time for a large Board to receive the report of a committee, and consider whether that report is wise or not?—I think it is wasting the time of gentlemen who have sat on the committee, and taken a great deal of trouble in ascertaining the facts, to have some new matter started, probably not at all bearing upon the question, and re-argued for an hour.

4332. Mr. *Locke.*] You think that time is wasted?—Yes, if the conclusion is a right one.

4333. They may probably have come to a wrong conclusion?—They may have done so.

4334. Do they not give the full Board an opportunity of judging whether their decision is right or wrong?—Certainly, in their reports.

4335. Would it be possible for the Board itself to perform all those duties which are performed by committees?—Certainly not.

4336. Then you must have committees?—Yes.

4337. Then as you must have committees, what is your objection?—My objection is to increasing their number.

4338. If committees are a good thing, and you must have them, the more the better?—That does not follow.

4339. If a committee is good in one case, is it not in other cases?—I think, generally speaking, if the committee had power, as they have occasionally, to carry out the work which they recommend, it would save a vast deal of time.

4340. But they might carry it out improperly?—Yes.

4341. *Chairman.*] Has there not been abundant reason in the conduct of the Metropolitan Board committees, to show the necessity of a thorough investigation into their proceedings in carrying out the works of the Board?—I do not think so.

4342. Have you not heard it stated that it is very desirable that the proceedings of these committees should be thoroughly sifted in the face of the public?—I have heard certain accusations, but I have never seen any proof.

4343. Mr. *Locke.*] Have you not heard that when a man sends in an estimate 25,000 *l.* above another, the work is given to the one who sends in the higher tender?—Yes; probably for very good reasons which could not be made public.

4344. Do you not think that these reasons ought to be given?—No; perhaps they might damage or ruin the man who made the tender.

4345. What is to become of the public who pay 25,000 *l.* more than they ought to pay?—The committee, of course, states as a reason that it does not think it right to intrust the person with the work.

4346. *Chairman.*] Would not the result of your proposal be a secret administration of affairs by a few members of the Board?—I do not propose any secret administration, or that they should not report to the Board, but I say that the more you multiply committees the more you multiply talk.

4347. You think that it is wasting the time of a representative body like the Metropolitan Board to examine into the proceedings of its committees?—No; but I say it is a waste of time to do it constantly.

4348. Do you not think that the larger the Board the less likelihood there is of wasting time, because the moral effect of a large number is to prevent the frivolous discussions that go on in a smaller body?—I think not; it is a matter of opinion. I think the work is better done by a smaller body than by a larger.

4349. Do you think that a person has greater facilities for occupying the time of a large audience than he has of a small one?—There will be a greater number of persons who want to occupy the time.

4350. Does not a large audience tend to prevent frivolous discussion, while a small audience encourages it?—I cannot say.

4351. Lord *John Manners.*] You would, perhaps, answer by pointing to what occasionally takes place in the House of Commons?—Yes.

4352. *Chairman.*] Are you not aware that when there is a small audience in the House of Commons the discussion is generally frivolous, and that when there is a larger one it is more concentrated and better conducted?—That is so to some extent, I dare say.

4353. Lord *John Manners.*] You think that practically the present number of the Metropolitan Board is sufficient to allow of good serviceable committees being struck, and you do not think that an addition to the Board would tend to facilitate the progress of its public business?—I do not think it would, but it is a matter of opinion.

4354. Mr. *Kekewich.*] You are elected by the vestry to the Metropolitan Board?—Yes.

4355. Supposing the vestry found that you were encouraging such works as the Honourable Member spoke of, and accepting a contract for 25,000 *l.* more than you could get the work done for, do you think the vestry would elect you again?—Certainly not; I should have no peace while I was sitting at the vestry; there is no doubt about that.

4356. *Chairman.*] Would they know anything about it unless the thing were brought before the Board and publicly discussed?—The Metropolitan Board supply every vestry with a report of their weekly proceedings.

4357. The proceedings of the committees?—The reports of the committees and the business arising out of them.

4358. The committees may put forward or keep back anything they please?—The result is all that the public are interested in.

4359. Mr. *Locke.*] Would it be satisfactory for judges to give their decisions without any reasons?—Certainly not, nor do the committees ever come to conclusions without giving their reasons, except in cases affecting private individuals. In the case that was put to me, I think they were right in not stating publicly the reasons for not accepting the lower tender.

4360. Lord *John Manners.*] Are you aware whether the same principle is acted upon in the public departments when tenders are sought for?—I suppose so. The Metropolitan Board feel themselves bound to accept the lowest tender, if they select a number of individuals to tender, but if it is publicly advertised they exercise the right of ascertaining whether the lowest tender should be accepted; and I think in works of such magnitude as they have to do with, it is quite essential that they should assure themselves of the ability of the contractor to execute the works.

4361. Mr. *Kekewich.*] How many members of the Metropolitan Board are there who do serve on committees?—The Board is divided into committees. There are committees of the whole Board, and committees of 15 members.

4362. Then the entire Board serve on committee?—Constantly, they are all summoned. The main committees of the Metropolitan Board are those of the whole Board. The Thames Embankment Committee, and the Main Drainage and the Streets Committees consist of all the members of the Board.

4363. Mr. *Mill.*] If any person's offer was rejected while the tender of some one else, though higher,

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higher, was accepted, would the person who made the lower tender have a right to challenge the decision, and demand that the committee which rejected the offer should give its reasons?—If he chose to do so the committee would not hesitate to give their reasons.

4364. *Chairman.*] In the case put to you, did the person challenge the decision?—I believe not; I was not a member of the Board at the time.

4365. Mr. *Kekewich.*] Of course giving reasons would involve the reputation of the individual?—That is the very reason why it is not done.

4366. Mr. *Locke.*] They state at the outset that they do not bind themselves to accept the lowest tender?—Yes, I believe that is the case with every public body.

4367. Sir *William Gallwey.*] How often do you come for re-election?—Every three years.

4368. Does the district Board re-elect you?—I am re-elected by the vestry.

4369. As a matter of right or of courtesy, do you attend when you are re-elected?—As a matter of right, being a member of the vestry.

4370. I suppose you find that all the members of the body that re-elect you have a pretty clear remembrance of all your acts during your time of office?—Yes.

4371. I suppose you are brought to account severely for some of those acts?—I have been.

Mr. William Francis Jebb, called in; and Examined.

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4372. Lord *John Manners.*] Are you Clerk to the Board of Works for the Westminster district?—I am.

4373. How long have you been clerk to that Board?—Since the passing of the Metropolis Local Management Act of 1855.

4374. What parishes constitute your district?—St. Margaret's and St. John's.

4375. What is the population, and what is the rateable value of these parishes?—The population, according to the printed return of the Metropolitan Board of Works, is 67,890; the county rate basis, according to the estimate of 1866, 339,660 *l.*; the poor rate (rateable annual value, March 1866), 441,673 *l.*

4376. What is the length of the roads and streets in your district?—About 28 miles under our jurisdiction.

4377. What was the amount of rates levied for all the purposes of your Board in 1865?—For the year ending 25 March 1865, for general purposes, 19,573 *l.* 13 *s.* 11 *d.*; sewers (local) 1,123 *l.* 18 *s.* 5 *d.*; special debt, Tothill Fields, 192 *l.* 1 *s.* 11 *d.*; Metropolitan Board, general purposes, 3,296 *l.* 2 *s.* 1 *d.*, main drainage, 4,991 *l.* 9 *s.* 7 *d.*; making a total of 29,177 *l.* 5 *s.* 11 *d.* There are also other receipts and balances amounting to 1,815 *l.* 3 *s.* 11 *d.* The amount of expenditure for general purposes, including paving, lighting, cleansing, watering, establishment, &c., 17,456 *l.* 18 *s.* 3 *d.*; sewers (local), 720 *l.* 17 *s.* 3 *d.*; special debt, Tothill Fields, 182 *l.* 10 *s.* 9 *d.* Metropolitan Board, general purposes, 3,364 *l.* 7 *s.* 1 *d.*: main drainage (two years), 7,677 *l.* – *s.* 6 *d.*, making a total of 29,401 *l.* 13 *s.* 10 *d.* The only debt owing by the Board is a balance of 1,500 *l.*, borrowed by the late trustees of Tothill Fields. They were superseded when the Metropolis Management Act came into operation; therefore we had to take to their liabilities, and also a few others which have since been discharged; the Board have no debts of their own.

4378. Does that expenditure measure the extent of the duties performed by the Board?—It does not. For instance, the surveyor has much of his time occupied in controlling works by private parties; also railway works, and works of gas and water companies, and matters of that kind. The officer of health, and the solicitor, also are largely occupied in controlling the expenditure by private persons. The amount of establishment expenses paid by the Board annually for officers' salaries is 1,280 *l.*

4379. You mean the Committee to understand that, in addition to the duties which are so paid for, these officers discharge other duties which may be regarded as not paid for?—Just so.

4380. Are these officers under the control of individual members of the Board?—Not in any way. The officer of health employed by the Board is a gentleman in a high position in his profession, Mr. Barnard Holt the solicitor is also a gentleman of large practice, clerk to the local justices of the peace and the Property and Income-tax Commissioners. The surveyor is a member of the Institute of Civil Engineers and other societies, and they would not submit to any undue control, nor would the Board wish to control them in any undue manner. The officers are permitted a great deal of liberty of action.

4381. Do you find any difficulty in obtaining gentlemen of position and station to serve as members of the Board?—None whatever. We find that a great many are anxious to come on the Board. I may mention that Sir William Gallwey was formerly a member of the Board. Colonel Hogg, the Member for Bath, was a member of the Board; he has now left the parish, and gone to reside in St. George's, Hanover-square. The Hon. Mr. Ponsonby, late Member of Parliament for Cirencester, is a member of the Board; Mr. Taverner Miller, Member for Colchester, is also a member, and represents the district at the Metropolitan Board. Major General Craufurd has just joined the Board, and we have several barristers and solicitors.

4382. Do these gentlemen attend regularly?—Very often; I think their attendances are even more regular than those of the tradesmen.

4383. I need hardly ask whether they manifest an interest in the affairs of the district?—They appear to take great interest in them.

4384. What is the number of your Board?—Fifty-seven.

4385. What is their qualification?—A rating to the poor of £. 40 a year.

4386. Have you cases of streets which are partly in your parish and partly in other parishes?—Yes; we divide roads with Kensington parish, St. George's, Hanover-square, and the vestry of Chelsea. We have never found any difficulty in agreeing to divide a road transversely where it was required. The two surveyors meet and measure the ground, and we take it on their report. They pay, or we pay, whatever may be agreed upon as the proportion of paving and cleansing.

4387. Were you able to come to those arrangements without any practical difficulty?—We had no difficulty whatever; besides, there is a clause

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in the Metropolis Management Act which enables the Metropolitan Board to decide the matter if they take it there.

4388. You have not had any necessity to make that appeal to the Metropolitan Board?—No.

4389. What is the sanitary condition of your district?—The Board has paid great attention to that. When they first came into office, they made an inspection of all the streets and courts in the district, and laid out a large sum of money in paving and drainage. The courts were then very badly paved and lighted. I think now they are in very good order indeed, except the houses to which I shall have to draw the attention of the Committee.

4390. What Acts has your Board to carry into effect besides the Local Management Act?—The Nuisances Removal Act, the Act for preventing Adulteration of Food and Drink, the Act for the Regulation of Bakehouses, and they have also the supervision of cowhouses and slaughter-houses.

4391. Do you experience any difficulty in carrying out the Nuisances Removal Act?—In some instances we have great difficulties. I do not think that the Board has sufficient power to remove nuisances.

4392. Can you give any instance in which you have not sufficient power to carry out that Act?—I would refer to matters which are very often brought to the notice of the Board and the sanitary committee by the officer of health. He considers that we should have power to close a house and remove the occupants where fever exists, in order that the same may be disinfected and cleansed. He thinks, also, that there ought to be more simple means for the cleansing and whitewashing of rooms. Ample powers are given to the police under the Act in regard to common lodging-houses; they may go into a house, and order it to be cleansed and white-washed whenever necessary.

4393. Under the present Act, I think, you must get an order from the magistrates?—We must, and the magistrate very often requires extraordinary proofs about these things. The officer of health may sign a certificate that a room is in a state to be injurious to health; but there are cases where a room cannot strictly be so described, and still it would be a great benefit to the inhabitants of the room if it were properly cleansed. These houses are let out in separate apartments, and they are in fact lodging-houses; but the class of persons occupying them are so dirty in their habits that, week after week, the same cases are brought under the notice of the sanitary committee; sometimes they are almost in despair as to how to deal with them. The rooms are frequently overcrowded, and we have no power in that respect, at least not sufficiently defined power. No sooner do the Board get an order for closets, traps, and pans to be put in repair, than they are all destroyed by the occupiers, and the work has to be done over again.

4394. Would you tell the Committee what additional powers in that respect you would wish the Board to possess?—I think I have called attention to the principal things. First, with regard to the overcrowding of the rooms; a room may be overcrowded where the house is not. I believe, in the early part of the Board's operations, we took a case before the magistrate, and he ruled that he could not give an order, seeing that the house was not overcrowded; the room was, but the house was not; that has made us very timid in going before the magistrates; in fact, we never do so if it can be avoided. We have, however, removed a great many persons from these rooms without the interference of the magistrates.

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4395. How have you accomplished that?—Simply by giving them notice; they have gone without obliging us to prove the case before the magistrate; possibly, if they had done so, we might have been defeated. That is one of the greatest evils in the district—the difficulty of the inhabitants finding room to live in. Owing to the railway and other improvements going on, they are shut out, and if we turn them out of their places they must lie in the streets.

4396. Are you able to give the Committee any information as to the number of houses that heretofore held these poor people, and that have since been destroyed?—I have no table to show the number. With regard to fever in these localities, I may state that there are certain places where fever constantly exists.

4397. What additional powers would you wish, in respect to those houses that generate fever?—We think that power ought to be given to the Board to close those places, and remove the persons into other places, while the rooms are being cleansed and disinfected. Frequently, no sooner has a person died of some disease than the room is immediately occupied by some one else, who takes the disease, so great is the demand for places of that kind. I think that power ought to be given to the local authorities to stop this evil.

4398. How would you supply those other places to which these people should be removed?—That is the great difficulty, to find a place to put the people in; land is so valuable about Westminster now, that there is not sufficient provision made for the poor to live properly.

4399. Do you contemplate the erection of houses by the Board?—I believe there is a Bill before a Committee of the House, which has been laid before our Board, with reference to the dwellings of labourers and artisans, and the Board appear to take a great interest in it. I do not know whether the Bill gives power to the local authorities to erect houses of that kind; if it does, I think it would be of the greatest possible benefit.

4400. Supposing that to be the nature of the Bill, do we understand that you, and the Board you represent, would approve of such a measure?—I can hardly commit the Board to it; but I think it would be one of the greatest boons to the poorer classes. Whether the Board would choose to lay out the ratepayers' money, or whether private individuals would do the work, getting an ample return for their money, it is not for me to say.

4401. *Chairman.*] Are you aware of the clause in the Act of Parliament which says, "If a nuisance, proved to exist, be such as to render a house or building, in the judgment of the justices, unfit for human habitation, they may prohibit the use thereof for that purpose until it is rendered fit for that purpose in the judgment of the justices"?—I think there is some difficulty about that.

4402. Lord *John Manners.*] Do we understand you to desire that the power now vested by law in the justices should be vested directly in the Board?—Yes, in the Board. There is one other matter with regard to water-supply to these houses:

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houses: it is not continuous; these poor persons are obliged to catch it as it is turned on by the water companies, and stow it away in their closely crowded rooms until it becomes unfit to drink. We have no power with regard to that; neither have we sufficient power to make the owners of the property construct water-butts and cisterns, so that there might be in every court a large and properly constructed tank, where the inhabitants could always get a proper supply. There is not sufficient power to enable us to do that, and that is a most important matter.

4403. In that respect again you would wish strict powers to be given to the Board?—Yes; where it was necessary for the health of those poor people who cannot possibly look after themselves, we should have power to order the landlord to construct these requirements.

4404. *Chairman.*] Let me call your attention to Clause 67 of the Act of 1862: "If it shall appear to any vestry or district Board that any house within their respective parishes or districts is without a proper supply of water, and that such supply can be furnished to such house at a rate not exceeding 3 *d.* a-week, conformably with the scale of rates authorised to be charged by any water company within the metropolis, as defined by the firstly recited Act, the said vestry or district Board may give notice in writing to the owner or occupier of such house, requesting him, within a specified time, to obtain such supply, and to do all such works as may be necessary for that purpose; and if such notice be not complied with, the said vestry or district Board shall do all such works, and recover the expenses thereof from the owner of the premises, as hereinafter provided, and any water company shall, upon the request of such vestry or Board, supply with water such house, and the rates for the supply of such house or houses as aforesaid shall be due and payable by the said owner, and shall be recovered by the company for the supply of such water." What more can you have than that?—It does not work.

4405. Will you explain why?—We never can get the money from the parties. We laid out 150 *l.* in improving different persons' property in the first instance, and never got a shilling back. The property changed hands so often that we could not get at the owner.

4406. Lord *John Manners.*] What was the date of your failure to recover in the instance you have mentioned?—The first year after we came into office, 1857.

4407. The date of the Act to which you have referred is 1862?—Yes, it is the amended Act; our solicitor generally proceeds under the Nuisances Removal Act as being more suitable for our purposes than the Metropolis Management Act, because under that Act we may do the work and never get the money.

4408. Having had your attention called to that Act of 1862, are you still of opinion that further powers are required to enable the Board to carry its provisions into effect?—Yes; but the solicitor of the Board will be better able to explain this matter than I can.

4409. The opinion you have expressed is based upon what you have heard from the solicitor?—Yes.

4410. Has the Board interested itself in legislation affecting the supply of gas to the metropolis?—Yes, very much; they took part in the inquiry that took place before the passing of the Metropolis Gas Act, and the late inquiry into the operation of the Gas Act of 1860.

4411. Does the Board watch the various railway and other Bills which may affect the interests of the inhabitants?—Every Session the solicitor and surveyor make a report of all Bills affecting the district, and those Bills are watched through Parliament, and, if necessary, opposed.

4412. Does any difficulty arise from a want of power to oppose any of these Bills?—We have not found any difficulty in doing that; a committee is generally appointed to whom I have to make reports of all questions that affect the district; in regard to this committee, for instance, and others, I should have to report that such a committee was sitting, and they would give directions if they wished anything to be stated before it.

4413. With respect to Private Bills, where you have to appear by counsel, probably at some considerable expense, does any difficulty arise in consequence of an objection on the part of the ratepayers?—No; we have opposed successfully several Bills this Session; we obtained the insertion of a clause in the Metropolitan District Railway Bill; we opposed the Boulevard Bill, and the St. Margaret's, Westminster, Improvement Bill, and both of those were withdrawn; we also opposed the Equitable Gas Company's Bill seeking to obtain further land near their works adjoining the parish of St. John.

4414. Have you any further suggestion that you wish to make as to the system of governing the metropolis?—No doubt inconvenience very often arises from the gas and water companies opening the streets so frequently, especially during the sitting of Parliament, and in the height of the season; in those cases the Boards and vestries are frequently blamed, but they have nothing to do with the matter; these companies, pursuant to the power they possess, open the streets after giving three days' notice; I think some control might be placed upon them in that respect.

4415. Are you able to tell the Committee to what extent you think that control might be properly applied?—The Committee are no doubt aware that according to the amended Metropolis Local Management Act of 1862, no street is to be closed without the sanction of the Metropolitan Board of Works; that is, we could not close any street in our district for repairs, even for a day, without going to the Metropolitan Board for permission; but I do not think that clause prevents any of the public companies laying down their pipes at any time. I do not think the Metropolitan Board could interfere with them.

4416. Would you wish the power of interference on the part of the Metropolitan Board to be extended to the operations of the different companies?—To prevent their opening streets, I will not say unnecessarily, because of course they would not do that, but they may have works to do at a very inconvenient time, and I think they ought to be under some control.

4417. With respect to the bodies that manage the different localities in the metropolis, have you any suggestion that you wish to bring before the Committee?—On the whole, I think that they have worked well; no doubt improvements might be suggested. If some jurisdiction were given to the Metropolitan Board, perhaps it might be desirable; I cannot say with regard to our own district that it has been found at all necessary.

4418. So far as your own district is concerned, you are on the whole satisfied with the present arrangement?—Yes; and we have no complaint that cannot be remedied.

4419. Mr. *Kekewich.*] Is your assessment made by the Board of Works?—I do not know how it is made; I believe it is by the vestry.

4420. You have nothing to do with the valuation?—Nothing.

4421. You can give no opinion as to whether it is correct?—None whatever.

4422. Mr. *Locke.*] Has no complaint ever been made as to the paving or mending the roads in Westminster?—I do not recollect anything of the kind.

4423. Was there not a complaint made, that on the day when the Queen went to open Parliament, the road was almost impassable in consequence of immense pieces of granite which were laid thickly upon the road, so that the carriage could hardly get along?—I remember seeing a letter in the paper on the subject; I believe it could be very well explained by the surveyor of the Board, but I am not sufficiently acquainted with the circumstances.

4424. Do we understand you to say that what is done in the parish gives universal satisfaction?—We have very few complaints.

4425. Are you at all aware of the mode in which the roads are macadamized in Paris?—I am not.

4426. Are you aware whether the surveyor has been there to examine it?—I believe he has been there; I know that great interest is taken by the Board and by the surveyor in these subjects. Within the last two or three months the surveyor went to Birmingham, Liverpool, and Manchester to see how the paving, lighting, &c. was carried out in those towns.

4427. Did he also go to Dublin?—No.

4428. Did he go to these places at his own expense?—I believe he did.

4429. I suppose he sometimes goes to Paris?—I have no doubt he does.

4430. Perhaps your Board would object to introduce any foreign improvements?—I do not think they would. We laid down iron pavement in King-street, and we have tried all manner of improvements.

4431. I suppose you pulled that pavement up again?—No, it is there now.

4432. Does it answer?—Very well indeed.

4433. There is some in the Poultry, I believe?—I believe that is taken up; it belongs to the City.

4434. Are you aware that the macadamized roads in Paris are perfectly smooth, that the stones are never allowed to remain on the surface, that they have large rollers, and that at night they roll the roads to a plain surface?—I have heard that is done, and that it is a great improvement.

4435. Are you aware that that has been done for the last 10 or 12 years in Paris?—I believe that is the fact.

4436. Have you seen the Bill with regard to the dwellings of artisans and labourers?—I have, but not read it through.

4437. Do you think that the object of the Bill is a good one?—If its objects are to prevent the fearful overcrowding now existing, I think it is very desirable.

4438. Do you think it is a good object to take down those houses that are unfit for human habitation, and to build proper dwellings on the site?—I think that is necessary for the poorer classes.

4439. Sir *William Gallwey.*] Do you know anything of Victoria-street?—Yes; we have the control of that street. Great nuisances are now committed on the vacant land there; all manner of refuse is thrown on it.

4440. It is a regular wilderness, is it not?—We have the greatest difficulty in preventing it. If the police were to co-operate with the Board in preventing these nuisances, I think it would be very desirable.

4441. Have you any connection with the Commission that rules and governs Victoria-street?—None whatever.

4442. I believe you are put to a very great loss from that ground remaining uncovered?—I believe the vestry were; but I think that a great deal of the property has now been built upon.

4443. It is in the parish of Westminster?—Yes.

4444. You have stated that there is a very great want of habitations, not so much for "artisans" but for the poor?—Yes.

4445. Do you not think that there is a splendid opportunity for covering that ground with large model lodging houses?—I imagine that the Improvement Commissioners would not like to build that class of property there.

4446. Does it not strike you that there is a good opportunity now for carrying out the benevolent intentions, which gentlemen like yourself have professed, with regard to providing habitations for the poor?—I think if they would agree to set apart a portion of the land for that purpose it would be desirable, but I have not sufficient knowledge of the space.

4447. Did the Metropolitan Board ever join with the parish, or any other authority, for the purpose of advancing money so as to enable additional thoroughfares to be made?—We have had contributions from the Metropolitan Board, and have carried out improvements of that nature, removing blocks of buildings, and so on.

4448. Has the parish contributed liberally?—Certainly.

4449. There is one place to which I wish to call your attention, leading from Charlotte-street into Victoria-street, past the brewery?—We have drawn the attention of the Metropolitan Board to that improvement, and asked them to contribute, but they thought in the absence of any offer of contribution towards the cost from parties interested, they were not prepared to take any steps in the matter.

4450. Then the Metropolitan Board are the body who are preventing that communication?—I do not say they are preventing it; we might do it ourselves if we chose to bear all the expense.

4451. They refuse to join you?—Yes.

4452. Do you know that little block of houses leading into Palace-street, up to the Queen's stables, the houses being all built with wood?—Yes.

4453. Have you been through it?—I know the locality, but not in sufficient detail.

4454. Are you prepared to assent to what I state, that it is one of the most vile thoroughfares in the whole of London?—I could not state that; I think there are worse places even in Westminster.

4455. Mr. *Tite.*] Do you know any land there called

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called Wicher's Almshouse, behind Victoria-street?—No, I do not, unless it is in the street leading to James-street.

4456. Do you know that recently the Commissioners of Victoria-street have leased that land, about 100 feet square, to the Peabody trustees, for the purpose of covering it with dwellings for the poor?—I did not know that.

4457. Do you know to whom that large mass of vacant land belongs, or who has the control of it?—I do not; I believe it belongs to several owners.

4458. You do not know the reasons why that land is not covered?—No.

4459. With regard to Charlotte-street, do you know that so much of the improvement as has been made which carries the street through to the point where it is open to the public has been done by the Street Commissioners?—Yes.

4460. Do you know that they are most anxious to carry it forward?—I know that the Westminster Improvement Commissioners asked us to co-operate and to bear a portion of the expense, but the Board said that they thought it was an improvement that the Commissioners ought to carry out themselves.

4461. Lord *John Manners.*] Who represents you at the Metropolitan Board?—Mr. Miller.

4462. He has brought the matter before your Board?—Yes, I believe he has.

4463. Has he ever, to your knowledge, informed you that the Metropolitan Board were willing to pay one-third of the expense if the parish would pay the other?—No, he has not. Our Board did apply to the Metropolitan Board to assist in that, but they did not think that the improvement was so greatly needed, and they had their hands so full of others that they could not take it up.

4464. You are not aware that they offered to contribute one-third?—I am not.

4465. Mr. *Locke.*] You asked them to do it altogether, did you not?—I think we did.

4466. Do you know that you have power to take lands for public improvements?—I believe we may, if we can find the money.

4467. They offered to give a third, and you asked for the whole?—We asked for the whole. The Metropolitan Board generally give a third to any improvement.

4468. Are the two parishes of St. Margaret and St. John much mingled with the adjoining parishes, or is there a well-defined boundary?—The boundary is very well defined, only there is a portion at Knightsbridge, which, as you are aware, is some distance from the other portion, but we find no inconvenience from that.

4469. That cuts into the middle of St. George's-square?—Not into the middle. If you look at the map, I think you will see it is not so. We come in at Albert Gate, Knightsbridge, and so up the main road to High-street, Kensington; then we have all the property on the left of the road until we join Chelsea and Kensington.

4470. Does it almost divide St. George's, Hanover-square, into two parishes?—I think not; St. George's has no property in that neighbourhood.

4471. Not at Pimlico?—Yes.

4472. And it has property at May Fair?—Yes; but I do not consider that we divide it.

4473. Your parish extends from Westminster to Knightsbridge?—Yes; our district ends at Victoria-street; then joins St. George's, Hanover-square; and we come in at Albert Gate, Knightsbridge.

4474. Therefore, you nearly cut St. George's, Hanover-square, into two parishes?—I do not agree in that; Knightsbridge is a very old hamlet belonging to the parish of St. Margaret; it formerly belonged to the Abbey.

4475. Mr. *Mill.*] Does not St. Margaret's reach into the middle of Kensington Gardens?—We have no jurisdiction there; but I think the boundary of the parishes runs along by the Serpentine.

4476. I believe there is a stone with the initials of your parish on it in the midst of Kensington Gardens, not far from the Round Pond?—I believe there is.

4477. *Chairman.*] Your parish extends nearly to the Abbey?—Yes, to Westminster Bridge and the Horse Guards.

4478. Sir *William Gallwey.*] You have a line to Buckingham Gate?—Yes; we do not go beyond Buckingham Gate.

4479. St. George's have a little strip to connect two halves of their parish, and then you come in again?—It is a pretty good portion; I do not think it is a little strip.

4480. Do you think it would be desirable that parishes so interlaced should be associated into one administration?—No, I think it would not be at all desirable. The members of the Board at Knightsbridge are quite willing to come to Westminster to attend to the business. I think they would object strongly to any transfer of that portion of the parish.

4481. They would object to any central administration for the three parishes?—I think they would object very strongly.

4482. Lord *John Manners.*] Has the subject ever been mooted between the authorities of the three parishes?—Never.

4483. *Chairman.*] Are your two parishes a union?—Yes.

4484. Without any others?—Without any others. They are under governors and directors of the poor.

4485. Do they administer the Poor Law under a local Act?—Under a local Act, I believe; but I know very little about it.

4486. How are the rates for the two parishes assessed and collected?—They are assessed by the vestries, and collected by persons appointed by the vestry.

4487. To whom do you make requisitions for your funds?—To the overseers, who are connected with the governors of the poor, and they levy the rates.

4488. How are the overseers appointed?—They are nominted by the vestry and selected by the justices.

4489. Are they officers, or are they a body?—They are appointed to collect the rates; but are merely answerable for them.

4490. Do you mean that your Board has a separate collection of rates?—The same persons that collect our rates also collect the poor and other rates.

4491. Is there any local Act in force in your parishes for any purpose?—I can hardly speak to that. The two bodies are distinct. I am not sufficiently acquainted with their management.

4492. How is the assessment made—by the overseers?—By the vestry. They go through the parishes, and make an assessment every year.

4493. Does the vestry of each of the two parishes

parishes make a separate assessment?—No; it is a joint vestry.

4494. How is it constituted a joint vestry?—I believe there is a local Act for that purpose.

4495. Do you find that there is a regular attendance at your Board?—Very regular indeed. I have to make a return every year of the attendances.

4496. What is the average attendance?—I have not the average. I may mention that one gentleman at Knightsbridge—Mr. Godson, a gentleman of some position, living at Rutland Gate—mentioned to me, the other day, that he had attended 240 meetings during a year. He is a member of the Board of Works, chairman of the governors of the poor under the Poor Act, a member of the joint and separate vestries, and is connected with the baths and wash-houses and the public library. He gives great attention to all those parochial matters. I find that some of the members have attended 22 meetings during the year ending June 1865. Mr. Holland, a barrister, in considerable practice, has attended 21 meetings; the Hon. Mr. Ponsonby, 27.

4497. Do you meet in the daytime?—Generally, at four o'clock in the afternoon.

4498. Have you committees?—Yes.

4499. How many?—The Board annually appoints three standing committees; works, sanitary, and finance.

4500. How often do they meet?—Every fortnight; the Works Committee has charge of all paving, lighting, and sewers. All applications that come in are referred at once to that committee. If they are not of any moment the surveyor deals with them at once.

4501. Are the members of the Board elected by the vestry?—Yes.

4502. You say it is one vestry?—It is a joint vestry for certain purposes. The vestry of St. Margaret's would meet and appoint members of the Board of Works, but it is not necessary by the amended Act of 1862, for a member of the Board to be a vestryman.

4503. Are there separate vestries for the purpose of electing members of your Board?—There are separate vestry meetings held on the first Wednesday in June for that purpose.

4504. Are the vestrymen elected in wards?—There are three wards for St. Margaret's, and three for St. John's, and the vestrymen are elected in the usual way.

4505. Can you give us any reason why the wards should not elect members to your Board directly?—I think the members of the Board and the vestry might be very well elected on one day.

4506. What is the use of electing a vestry?—The vestry are elected by the ratepayers.

4507. What is the object of having a vestry; what does it do?—Their powers I believe are very much curtailed where there is a Board of Works; they have very little to do, I imagine, because we transact all the local government.

4508. What is the use of having a vestry elected for the purpose of electing a Board; why cannot the members of the Board be elected directly in the wards?—I do not see that there would be any great objection to it.

4509. Would not that put them on the same footing as the local Boards in Marylebone or any other parish?—I have not attended these meetings when the members are appointed, and therefore I can hardly give you evidence upon the subject.

4510. You know nothing of the course of election?—Only by conversation; I have not attended the meetings.

4511. What is the object of having two separate Boards, one to adminster your duties and the other the Poor Law; why cannot all the affairs of the parish be adminisistered by one Board?—It is quite impossible for them to transact all the details; the guardians, I believe, meet weekly to hear all cases of relief, and they are often occupied from three o'clock till eight or nine; it would be quite impossible for them to carry on all the local affairs.

4512. Are the guardians elected directly by the inhabitants?—I believe they are.

4513. Are the same persons both guardians and vestrymen?—Sometimes.

4514. If you have to look after all these matters affecting the health of the poorer classes in your district, and those are the persons who when you turn them out are to become chargeable to the poor rate, is it not desirable that there should be one administration instead of two?—I think not; I do not think it would have any influence on their decisions. I think they would give a just and fair opinion in every case. I wish to make one remark with regard to the question of nuisances. Without saying that the magistrates do not give every attention to any matter that is brought before them, I think that they have so much to do with matters of police that it would be desirable if the Committee could suggest some other means or some other tribunal before which we could go; for instance, the justices of the peace.

4515. In district sessions?—Yes, they meet weekly. By the Amendment Act of 1862, Parliament gave them powers to deal with slaughter-houses and cow-houses, and I do not see why they should not take up these other matters. It would be a great assistance to us.

4516. You think that jurisdiction in matters of local government should be transferred from the stipendiary magistrate to the district sessions, and justices of the peace?—Yes, I think it would be a great improvement. There are gentlemen attending the sessions who live in the district, and are well acquainted with the localities, who would not mind the trouble of going to look at the houses. On the occasion of the last licensing day for slaughter and cow houses, I had to oppose three. They went to look at them themselves, and finding they were not fit to be licensed, they refused the applications.

4517. If a general jurisdiction of this kind were given in administering justice in relation to local matters, would it not be necessary to constitute a commission of the peace for the metropolis in which the justices should be selected and appointed with regard to their position and residence, so as to have them properly diffused all over the metropolis?—I believe there are petty sessions held in every division of the metropolis now. I do not know how those gentlemen are appointed; but I believe it is through the Lord Lieutenant; they seem to be frequently on the spot, and I believe they are well acquainted with the matters that we should have to draw their attention to, and would deal with them promptly. We find a great delay in going to the magistrate, who requires extraordinary proof of the existence of a nuisance which might, I think, be more readily dealt with.

4518. Mr. *Tite.*] Do you know Mr. Rogers, solicitor of Cannon-row?—He is our solicitor.

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4519. Do you know that the solicitor of the Improvement Commissioners brought in a very extensive scheme last year for obtaining land and increasing the great establishment constructed by Mr. Gibbs for dwellings for the poor, making a street in that direction from Mr. Gibbs' establishment, and also making a street across from the back of the great hotel towards St. James's Park; and that Mr. Rogers appeared, by the direction of your vestry, to oppose the whole of those schemes, and succeeded in having the whole of them struck out?—I believe we did oppose them.

4520. What was the reason of that opposition?—I can only say what I have heard stated at the meetings. It was supposed that the same thing might have occurred as has occurred before; these buildings might have been all removed, and the land laid waste; we were afraid that the Commissioners would not have the funds at once to build upon the space, and that we should lose all the benefit we now get from it. I believe the land is now being built upon.

4521. I believe Mr. Gibbs has spent something like 30,000 *l.* or 40,000 *l.* out of his own purse in erecting dwellings for the poor?—I believe he has.

4522. Therefore, that reason could not apply in his case. He wanted additional land to double the accommodation?—Probably the Board were afraid that the Commissioners would not have all this land taken for years.

4523. You say that Mr. Rogers was employed to oppose this large improvement, the ground being probably what you suggest?—Yes, he was so instructed, I believe.

4524. Do you know that large establishment of Mr. Gibbs in Rochester Buildings?—Yes.

4525. Do you think it a most desirable thing for the poor?—Yes.

4526. Would it not be desirable to double it?—Yes, I think it would.

4527. Is there any apprehension on the part of your Board that it would bring paupers into the parish?—I think the Board only desire that some habitations should be found for these poor people so as to prevent fever and disease of every kind.

4528. Are you aware that last year the Westminster Improvement Commissioners, Mr. Mayhew being their solicitor, brought in a Bill for those improvements at the back of the hotel?—I am aware that there was a Bill.

4529. And are you aware that this year an attempt was made by the Tontine Company, who have possession of that large mass of buildings immediately attached to the Abbey, and now occupied as offices?—Yes.

4530. And that they wanted to make further improvements in that wretched neighbourhood, and that you opposed them?—We opposed them for the reason I have mentioned. Mr. Burchell the solicitor for the Bill, attended before the committee of the Board who sat to inquire into this matter, and if he would have assured the Board or the committee that they would be able to raise the money to carry out these improvements, I do not believe that the Board would have opposed them. They feared that the houses might be pulled down and the land left vacant.

4531. And Mr. Burchell withdrew the Bill?—Yes, through our opposition.

4532. Mr. *Locke.*] Were there no subscribers?—I believe there were some gentlemen named in the Bill as the first directors and subscribers.

4533. Mr. *Tite.*] Do you know that the chairman of the company is Mr. Sampson?—I did not know that.

4534. *Chairman.*] Have you come here at the request of your district Board?—Yes, I drew their attention to this inquiry, and they directed me to attend, and give such evidence as might be necessary. They thought that some misunderstanding existed in the minds of the Committee as to how these local affairs were conducted, and they wished me to explain that we have no difficulty in getting gentlemen to sit on the Board who take the greatest interest in local affairs.

4535. Sir *William Gallwey.*] You have come here specially to show that, as far as your parish goes, you have no difficulty in obtaining gentlemen of position and respectability?—Yes; and also to point out to the Committee the difficulties we have to contend with in not having sufficient powers.

4536. Mr. *Tite.*] Is Mr. Rogers, your solicitor, paid by salary or by bill?—By salary.

4537. Does his salary cover all these oppositions to Bills, and so on?—It does not cover Parliamentary proceedings, the purchase of property, and things of that kind.

4538. He would have his usual bill in those matters?—Yes.

4539. Do you recollect what his bill has been during the last two years?—No; it has not been much.

4540. *Chairman.*] Are you aware that a Committee was appointed in the present year to inquire into the supply of gas to the metropolis?—Yes.

4541. Did your Board take any action consequent upon the appointment of that Committee?—Yes. I was directed by the committee of our Board to attend and give evidence before that Committee. And the surveyor was also directed to attend to point out the difficulties we had to contend with in reference to that Act, chiefly with regard to the supply of gas to the public lamps, which we required to be by meter. We went fully into that question. The Report of the Select Committee of the House was laid before the Board at the last meeting, wherein certain improvements have been suggested, which we think would be very satisfactory if they could be carried out.

4542. You did appear further than to the extent you have mentioned?—We did appear, but not by counsel.

4543. Did you communicate with the Metropolitan Board to assist them to appear by counsel before the Committee?—No, we appeared on our own account. We had no communication with the Metropolitan Board at all.

4544. Sir *William Gallwey.*] You were in communication with the City?—Yes. We petitioned in favour of the City Gas Bill, that they should have power to supply gas to the City of London.

4545. *Chairman.*] Do you think it desirable that every district Board should be converted into a gas supplying body?—That would be perfectly impossible; still the Board thought that, having regard to the City, it would be an advantage to the ratepayers that the City should be able to supply gas.

4546. Instead of communicating with the Metropolitan Board, which was appearing on behalf of the inhabitants of the metropolis, they communicated with the City, which was appearing for

for its own interest?—Hardly that. The House directed, on the introduction of the Bill, that the Committee should inquire into the Metropolis Gas Act of 1860. We had great complaints to make as to the working of that Act, and we were asked to come and state those complaints, which we did.

4547. Were you not aware that the Metropolitan Board appeared before that Committee on behalf of the inhabitants of the metropolis?—I believe they engaged counsel for that purpose.

4548. You did not make any communication to them with reference to the interests of your inhabitants?—No, we attended ourselves.

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4549. Mr. *Locke.*] Are the gas works in Horseferry-road in your district?—Yes.

4550. Have you ever received complaints of nuisance occasioned by these works?—Sometimes the inhabitants surrounding them have complained of disagreeable smell, smoke, and so on.

4551. You have taken no steps in this matter?—No.

4552. You do not know that there has been a decision that gas works are nuisances, and are indictable?—I did not know of such a decision.

4553. Sir *William Gallwey.*] Have you had any complaints concerning the effect of the brewery there?—No.

Mr. Robert Shafto Hawks, re-called; and Examined.

Mr. *R. S. Hawks.*

4554. *Chairman.*] Do you think it is a desirable system to have the several administrations existing in your parish, or would it be better to have one administration for the affairs of the parish?—We have two administrations, a Board of Guardians and a vestry; and, as far as I can judge, the system is certainly beneficial.

4555. Having regard to the necessities of the case, in looking after the poor under the Sanitary Acts, would it not be desirable that the same body should look after the poor when they become chargeable?—I think not; and for this reason, there are many gentlemen who will consent to be members of the Board of Guardians who will not consent to be members of the vestry, and *vice versâ*.

4556. Upon what grounds would they object?—Upon the grounds that they take an interest in one department, and not in the general department.

4557. If there were one Board, and the work were allocated amongst committees, would not that difficulty be obviated?—I am afraid we should lose a great many valuable members on the Board of Guardians.

4558. Why so?—Because they would say, "We may be allocated for other purposes, without our consent."

4559. Would you think it desirable that the Metropolitan Board should supervise to any very considerable extent the local administration?—I think that would be very advisable.

4560. To what extent would you carry that?—I would give them an appellate jurisdiction to every extent.

4561. In what way do you mean?—When persons apply to vestries or district Boards, and are refused, I would give them the power of appealing to the Metropolitan Board.

4562. Apply for what?—For anything that may be refused; such as paving, making streets, sewage, and so on.

4563. Would you extend the right of appeal to all complaints of neglect on the part of your Board to abate nuisances?—Yes.

4564. If the inhabitants thought that there was anything prejudicial to health, and that your Board was not sufficiently active in suppressing it, you would allow an appeal to the Metropolitan Board?—Decidedly.

5565. So that the Metropolitan Board would then exercise a general supervision over the local board in the discharge of its duties?—Yes.

4566. How would you have that appeal conducted?—Merely by an application by the person who is dissatisfied.

4567. Then what action would the Metropolitan Board take?—They would no doubt immediately state that an application had been made to them appealing against the decision of a vestry, and make an appointment for some members of the vestry or the clerk, to come and state the reasons for the decision.

4568. There would be an investigation into the merits of the matter?—Yes.

4569. Through a committee of the Metropolitan Board?—No doubt.

4570. Would that be a public investigation with the examination of witnesses?—That would be as the Metropolitan Board would determine. In my opinion they ought to have full powers to require the attendance of any persons that they might think necessary to give evidence.

4571. Mr. *Tite.*] On oath?—On oath if necessary.

4572. *Chairman.*] Do you think that any further powers are required by your Board for the preservation of health, beyond those you have mentioned before?—No; only those which I mentioned with regard to the shutting up of houses in a locality like ours. I should like the powers to be extended even to the shutting up of courts, and sometimes to streets that are not thoroughfares. We have had several instances of streets that are not thoroughfares, where we have had fever to a great extent, and the only way of getting rid of it would be to shut up the whole street.

4573. Do you mean permanently or temporarily?—Temporarily; for a fortnight or three weeks.

4574. Would the vestry have to undertake the duty of cleansing the street and the houses?—We should have the power of doing that under the present Act and charge the owners.

4575. Do you not consider that it might be done under the present Act, which directs that houses that are dangerous to health should be shut up?—I am afraid that in that respect the Act is inoperative; it takes a long time to get an order from the magistrates; it requires a great deal of evidence, and sometimes the evidence is contradictory with regard to the place being absolutely dangerous to health; it takes a fortnight to get the order, and during that time fever may break out and go through the district; in one instance, I had to serve no less than 57 notices in one street, but in consequence of the delay, the fever spread through the whole district, and we

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lost a curate and a relieving officer through that fever.

4576. Have you spent a considerable sum of money out of your rates during the last few years in improving the condition of your parish?—Yes, for a small place like ours; particularly in regard to sewage.

4577. Has the health of your parish improved considerably of late years?—Yes, materially; the population has increased, and the death rate has decreased.

4578. To what do you ascribe that?—To the alteration in the sewage, by making covered sewers instead of open ditches, which we had before.

4579. Mr. *Locke.*] I believe there is an inconvenience in Rotherhithe in regard to dwellings for the poor?—There are a great many that are unfit for habitation, in my opinion.

4580. You have plenty of space there?—Not now.

4581. Not to build houses upon?—No; the Metropolitan Board has taken the only space we have now.

4582. That is for the park?—Yes.

4583. What is the size of that park?—Sixty acres.

4584. Where does it lie?—On the north side of the parish of Rotherhithe, just abutting upon Bermondsey.

4585. Mr. *Tite.*] The railway runs along the end of it?—It is close by the railway.

4586. Mr. *Locke.*] There are no spaces where dwellings might be built?—None at all.

4587. You have heard the evidence given with respect to habitations which are unfit for persons to occupy; do you think it desirable that power should be invested in the local authority to give them the opportunity of taking down those buildings and placing proper buildings on their site?—I think it would be a very great benefit.

4588. Can you point out any great number of houses of that description in Rotherhithe that might be dealt with in that way?—I can point out, certainly, 70 or 80 houses.

4589. That you think would be condemned?—I should think so.

4590. Places generating fever and disease, and incapable of improvement?—At present incapable of improvement.

4591. The way would be to take them down, and rebuild others in their stead?—Yes.

4592. Has the attention of the parish authorities in Rotherhithe, been directed to the Bill before Parliament, with respect to dwellings for artisans?—It has been laid before the vestry, and I believe they agree with the principle of it, but I should tell you that they would be desirous of going a little further. We have certain very narrow places that really ought to be shut up altogether and the houses demolished; not building houses in their stead.

4593. There being no room?—No room.

4594. Are you aware that there is a local act at Liverpool, which goes to that extent?—I have heard so; but I was not aware of it before.

4595. Do you think that this new park will be a great advantage?—I think it will be a very great boon to the district.

4596. And prevent overcrowding for the future?—Decidedly; the space there being all built over, and that will prevent it.

4597. Does that land belong to Sir William Gomm?—Yes.

Mr. William Parry Jackson, called in; and Examined.

Mr. *W. P. Jackson.*

4598. *Chairman.*] You are resident at Woolwich?—I am.

4599. You are connected with the Local Board which administers the affairs of Woolwich?—I am chairman of the Local Board of Health.

4600. Your parish is within the Metropolitan area, I think, for some purposes?—Yes.

4601. Is your parish under the Metropolis Local Government Act, for the purposes of its own local government?—No; it is governed by a Local Board of Health, elected under the provisions of the Public Health Act, 1848, and it carries on its operations under that Act, in conjunction with the Local Government Acts of 1858 and 1861, and some unrepealed clauses of a Local Act of 47 Geo. 3, c. 111.

4602. For what purposes is it under the Metropolis Local Management Act?—Under that Act we elect a member for the Metropolitan Board, and we are subject to the precepts of the Metropolitan Board, for their charges that are levied upon the district, except that we do not contribute to the debts existing prior to the formation of the Board.

4603. You contribute equally with all the other parishes within the metropolis to all the rates levied by the Metropolitan Board?—Yes.

4604. Therefore, the Metropolitan Board exercises all its own functions as regards your parish equally with any other?—I believe it does; but we had carried out our local drainage, under our own control, before the formation of the Metropolitan Board.

4605. But in so far as the Metropolitan Board chooses to make any drainage within your parish, it is at liberty to do so?—I believe it is.

4606. Have you carried out the local drainage and paving of your parish completely?—Yes; immediately after the formation of the Board we set about the drainage, and we carried it out very successfully, so much so, that at the formation of the Metropolitan Board we were not brought under its operations.

4607. Do you think that that would offer an objection to your being grouped with any other parish for the purpose of local government?—We think that our government is so complete and satisfactory that it would be very desirable we should remain as at present.

4608. Is it the wish of the inhabitants, and of the Local Board not to be brought under the Metropolis Local Government Act for their own administration?—Certainly so; we wish to retain all our present privileges; the Board of Health consists of 21 members, 18 of whom are elected by the ratepayers and owners of property in the parish, and three are appointed by the heads of public departments; one-third of the elected members go out every year, so that each member has to go out once in three years, when he is re-elected, or some one else takes his place.

4609. Is there a large amount of public Government property in your parish?—A very large amount, and we consider that we are very unfairly dealt with by the Government in their not contributing their fair quota towards the repair

pair of the roads. They only contribute a moiety of their proper share towards the poor rates; and they contribute nothing to the highway, sewers, and other rates.

4610. They nominate three members to your Board?—Yes.

4611. Whom do they nominate?—One is an officer in the Royal Engineers, another is a gentleman employed in the dockyard, and the other was an officer of the Royal Artillery. He has recently died, and the vacancy is not filled up. It is not necessary to elect persons filling those positions. The Departments appoint whom they think proper. The appointments are made unitedly by the commodore of the dockyard, the commandant of the garrison, the commanding Royal engineer, and the principal superintendent of stores, who are considered the heads of the public departments.

4612. Do those gentlemen attend?—They are very punctual in their attendance; so are the members of the Board generally. On an average, at least three-fourths of the members are present.

4613. *Chairman.*] Do you experience any difficulty in dealing with nuisances, and other matters injurious to health in your parish?—No; when we hear of a nuisance we take immediate steps for its suppression.

4614. You find the law sufficient for that purpose?—We have no difficulty in the matter; if it is a pressing case, we get an order from the magistrates to have it removed within 24 hours.

4615. Do you find any difficulty in getting that order?—No.

4616. Do you apply to the stipendiary magistrates, or to the justices of the peace?—To the stipendiary magistrates; they attend daily.

4617. Perhaps the business in the office at Woolwich is not so great as to afford constant occupation for the magistrate?—There are two magistrates who attend alternately in the afternoon of every day.

4618. Do you find that they have time enough to attend to your affairs?—Yes.

4619. Mr. Alderman *Lawrence.*] Have you not a large amount of small property?—Yes, the major part of the inhabitants of Woolwich consists of artisans, and persons employed in the public establishments, and when there is great activity prevailing in those departments a large number of artisans are brought into the locality, and when a slackness takes place many of these persons go away to seek employment, and frequently leave their families behind, so that they become chargeable to the parish; the Government establishments thereby proving very injurious to the interests of the parish.

4620. You are not reaping any benefit from the public establishments, but you really consider you are injured by the presence of those establishments?—I think if the Government establishments were in the hands of private individuals, it would be much better for the locality.

4621. Is there not a large amount of property at Woolwich which is in a dilapidated state, and ought to be put into a better condition to be fit for the habitation of artisans?—I do not think so; I am not aware of it.

4622. Is it all drained?—Thoroughly drained.

4623. Have you inspectors to look after the houses in that district?—Yes; inspectors of nuisances.

4624. They examine and report to your Board nuisances as they arise?—Yes; and they are immediately attended to; any nuisance that arises is immediately reported.

4625. Is water laid on in every house in Woolwich?—There are some instances in which it is not. We have only an intermittent supply; not constant.

4626. Mr. *Locke.*] That is a general objection, is it not?—It is a great objection.

4627. Mr. *Tite.*] What would you do with the water-closets if you had a constant supply?—We might have cisterns to receive it.

4628. Then what do you mean by a constant supply?—At present the water is only on for a stated time each day, and then it has to be stored in cisterns.

4629. How would you manage supposing it were otherwise?—It might be turned on when required.

4630. Do you mean turned into cisterns?—Yes.

4631. You having the power to turn it on?—Yes, if there was a constant supply.

4632. Mr. *Locke.*] The supply is intermittent everywhere, is it not, with all the water companies of London?—I believe it is in most cases.

4633. The water is turned on during a particular hour of the day; it flows for a certain time and then ceases; and one day in the week it does not come at all?—On Sunday, usually, we do not get it.

4634. Mr. *Sandford.*] Do you not consider the presence of these Government establishments at Woolwich adds to the value of property?—To a certain extent; but my impression is, that if the whole of the public establishments were in the hands of private individuals, it would be more to the interest of the inhabitants in general. They do not benefit the tradespeople much, because they get their supplies by contract, from a distance, whereas they cut up our roads to an amazing extent, and contribute nothing towards the repair of them; and, as I said before, they increase the number of persons chargeable on the parish.

4635. Has not Woolwich been created by the presence of Government establishments?—There is no doubt they have contributed to its prosperity, but it is not more favourably circumstanced than Greenwich and other towns, where there are no Government establishments.

4636. If those Government establishments were removed, would it not be detrimental to the value of the property there?—If they were closed it would be very detrimental; but if Government were to dispose of the establishments to private individuals, I believe it would increase the value of property in the town and neighbourhood.

Monday, 18*th June* 1866.

MEMBERS PRESENT:

Mr. Ayrton.
Sir William Gallwey.
Mr. Knatchbull-Hugessen.
Mr. Kekewich.
Mr. Locke.
Mr. Mill.
Mr. Alderman Lawrence.
Mr. Tite.
Mr. Turner.

ACTON SMEE AYRTON, Esq., IN THE CHAIR.

Mr. HENRY CHESTER, called in; and Examined.

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4637. WHAT are you? — I am one of the Vestry Clerks of the parish of St. Mary, Newington. There is a joint appointment of myself and my brother.

4638. I believe that vestry has presented a petition desiring to give evidence before this Committee?—Yes.

4639. Have you been directed by the vestry to appear here?—Yes, to give evidence.

4640. And to express their opinions?—Yes.

4641. How long have you been a clerk to the vestry?—Since the establishment of vestries in 1856.

4642. Had you any previous experience?—I was clerk to the Board of Highways, and to Lighting Boards before that period.

4643. What is the extent of your parish?—It has a population of 82,000, and 28 miles of streets, and the income of the vestry is 30,577 *l.*

4644. Have you a separate administration?—Yes, it is not united with any other parish.

4645. Do you know the area of the parish?—No, it has never been measured.

4646. What is the rateable value of the parish?—£. 209,366 is the poor-rate assessment. The county-rate assessment is higher.

4647. Why is the county-rate assessment so much higher than the poor rate?—The county make a basis of their own; ours is made only to assess the parish itself.

4648. Why should their assessment be so much higher than yours; and why should the basis be different?—They do not make so many allowances as we do; they have a uniform scale for the whole county.

4649. You mean that the same gross estimated rental is the point of departure in both cases?—Yes.

4650. But they make less deductions than you do, in arriving at the rateable value?—Yes.

4651. You contribute to the metropolitan taxation, levied by the Metropolitan Board, on the basis of the county rate?—Yes.

4652. Is your parish also a union of itself for the administration of the poor law?—It is.

4653. Have you any connection with the poor law administration in your parish?—I have none, except as Solicitor to the Governors and Guardians of the Poor.

4654. Is there any local Act in force in your parish?—Yes.

4655. For what purpose?—Prior to the establishment of the Poor Law Board there was an Act for several purposes; amongst others, for administering to the relief of the poor. I am the solicitor to the governors and guardians of the poor, but I have nothing to do with making the rates.

4656. What is done under that Act now?—The administration of the poor entirely, and the management of considerable parish estates.

4657. Is the parish assessed, and are the rates levied under that Act?—Yes.

4658. By a board?—By a board of governors and guardians of the poor.

4659. Their officers collect the rate? — Yes, and collect ours for the vestry.

4660. In your department you have nothing to do with assessing the parish or collecting the rate?—Nothing.

4661. You merely make a requisition on the governors of the poor appointed under the Local Act, and they collect your rate?—They do; we demand a sum of money, and they raise it as they think fit.

4662. You have no parochial officer, churchwarden or overseer; but it is done by their stipendiary officers?—We have churchwardens and overseers, but the governors and guardians are authorised under the Local Act to make all rates.

4663. They perform the functions of overseers of the poor through their stipendiary officers?—Yes; but they are the persons legally authorised to make the rates.

4664. They are legally invested with the functions of overseers of the poor?—They are.

4665. But not of churchwardens?—The churchwardens and overseers are *ex officio* governors and guardians.

4666. How many governors are appointed under that Act?—There are 32 governors and guardians.

4667. Are they elected by the inhabitants?—They are elected by the vestry; formerly they were elected in an open vestry.

4668. The vestry is elected, and then it proceeds to elect governors of the poor?—Yes, upon a subsequent occasion.

4669. Do they elect their own members, generally, or others? — Sometimes others; but we find that the number of vestrymen embraces nearly all the public men that you can find; there are some exceptions.

4670. Do you find that the governors of the poor are for the most part members of the vestry managing

managing other local affairs of the metropolis?—Yes.

4671. But the two jurisdictions are exercised separately?—Altogether separately.

4672. The vestry has no control over the administration of the governors and guardians when they are appointed?—None; we are still partially under the Poor Law Commissioners.

4673. A great many trusts, I believe, are consolidated in your case?—Yes; the parish was repaired, cleansed, and lit by the different bodies when the vestry was first appointed.

4674. The work is done by one body now?—Yes.

4675. Do you think it is worse or better done than it was by previous bodies?—No doubt, a great deal better; the Board of Highways had no power to pave.

4676. Is the work more economically done?—That is difficult to say; I suppose it is, but I have no means of proving it.

4677. What parishes join yours?—Camberwell is on the one side.

4678. That is also a separate parish?—It is.

4679. Having a population of 71,000 persons?—Yes.

4680. What is on the other side?—Lambeth and St. George's, Southwark.

4681. Lambeth has a population of 162,000?—Yes.

4682. And St. George's a population of 58,000?—Yes.

4683. Do you think that your parish could be conveniently amalgamated with any of those adjoining parishes for the purpose of local administration?—No; I think we are quite large enough.

4684. Having regard to the size of the parishes of St. Pancras and Marylebone, and other large parishes, do you not think that your area of management could be enlarged without any public inconvenience?—My own impression and that of our vestry is, that we are quite large enough, that we have quite as much to manage as we can conveniently do.

4685. Do you elect the vestry by wards, or through the whole parish?—By wards.

4686. How many wards are there?—Four in our parish.

4687. If you were amalgamated with an adjoining parish, and that were divided into wards also, would you not get an election of members diffused over the whole district equally well?—Of course, they would be.

4688. Is it your opinion that that charge would be so great that they could not perform the duty?—I think the duties are better done with the number that we have. It is a very large number as it is.

4689. Has much progress been made in paving your district since the Board was established?—Yes, when the vestry was first appointed the parish was partially a country parish; it has now grown into a town parish. Scarcely any of the back streets were paved. We had an estimate made and a sum of 24,000 *l.* was reported as being necessary. The vestry resolved to carry that on at the rate of 3,000 *l.* a year out of the current rates. That has been done and a large sum of money has been spent.

4690. Are the parishioners generally satisfied with the progress of the paving, or are there complaints respecting it?—In bad weather we have many complaints, especially in those parts that are not paved.

4691. Do they wish it all to be paved?—They wish it to be all done at once. Where the streets are not paved, there is a great deal of mud in wet weather, and the inhabitants are angry about it.

4692. Are you progressing with the paving?—Yes.

4693. Why do you not proceed according to the wishes of the inhabitants?—We could not do it without borrowing money, and it was thought better that it should be done out of the current rates. It would be impossible to spend 24,000 *l.* out of one year's rate; 3,000 *l.* per year is a large sum to spend in one item.

4694. That is, putting down the paving?—Yes, where the streets have not been paved before.

4695. Is it the intention of the vestry to pave the parish thoroughly?—Yes, every public street is intended to be paved at the expense of the rate, and the private courts are to be paved at the expense of the owners.

4696. With regard to the public roads, are they kept in proper order or are they in a very bad state?—There has been a difficulty with the back streets. When the vestry was first established the main thoroughfares were turnpike roads. They have recently been thrown upon the parish and form a very heavy charge. The back streets were no doubt in a very bad state when they came into the possession of the vestry.

4697. Do you now think that they are in a good state?—They are being improved: they are not so good as they should be, but there has been a good deal of money expended upon them, and they are in a greatly improved condition.

4698. Is there much to be done to bring the back streets into proper order?—Yes, some thousands of pounds will be required.

4699. Has any difficulty been experienced in your parish in consequence of the boundary running through the middle of the streets?—None, since the vestry was established. The parish of St. George's runs along the middle of the road, all up the Causeway and the Borough to St. George's Church, and down Kent-street a long distance. We came to an arrangement with the parish of St. George's to divide it transversely, and each repairs a portion accordingly.

4700. Has any difficulty been experienced?—None. It is the same with the parish of Lambeth, where we have a division in the Kennington-road, and we agreed to divide it.

4701. So that, wherever you have a division running along the road, you have made arrangements to do part of the road by a transverse division?—Yes; there are only two parishes.

4702. You find that that answers every purpose?—Yes; each maintains its own foot-paths, but it would be impossible that each should do its own part in the carriage-way. I have here an abstract of the expenditure of the vestry for every year since its establishment.—(*The Document was delivered in,* vide *Appendix.*)

4703. Has the vestry devoted much attention to lighting the parish thoroughly?—Yes, but it was tolerably well lit when the vestry was established.

4704. Have you a contract with any gas company for lighting the parish?—No; we have rather avoided making permanent contracts, but we have an arrangement. We thought the prices were too high for permanent contracts.

4705. Are you aware that a Committee was

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appointed this Session to inquire into the supply of gas to the metropolis?—Yes, and our gas examiner attended that Committee, and gave evidence.

4706. Did your vestry take part before the Committee in protecting the interests of the ratepayers?—We did.

4707. In what way?—We attended some meetings with the Common Council of the City of London.

4708. Did you communicate with the Metropolitan Board to appear and protect your interest?—We have had communications with the Metropolitan Board, but chiefly with the City of London.

4709. Have you any relations with the City of London; are you represented there?—No, but they invited our co-operation.

4710. Are you aware that they were proceeding for a private Bill of their own?—Yes.

4711. Not to protect the interests of the inhabitants?—At the same time they did so.

4712. What was the motive in going to the City of London rather than to the Metropolitan Board?—We are rather anxious that the City of London should obtain their Bill.

4713. On what ground?—We thought it would be better that the city and municipal authorities should manufacture their own gas.

4714. Do you think it desirable that each vestry should manufacture its own gas?—No; I think there might be an amalgamation for that purpose.

4715. Of several vestries?—We had not thought of that, but something of that kind might be done.

4716. Do you think it would be desirable that the Metropolitan Board should undertake that duty?—Yes.

4717. The gas company which supplies your parish, I presume, supplies others as well?—Yes, we have three companies, but only two supply us with public lights.

4718. Therefore, it would be impossible for your parish to deal with these two companies; it would be necessary for some body, having a larger area of management, to make an arrangement?—It would not pay for us to have a separate establishment, I imagine.

4719. Has your Board taken any interest in the supply of water to the inhabitants?—No, I think we are tolerably well supplied.

4720. From what source?—The Southwark and Vauxhall Waterworks Company and the Lambeth Company.

4721. Does the vestry take much trouble to see that the water is of proper quality?—Yes, it is reported on constantly; we do complain occasionally, especially to one of the companies, of insufficient supply.

4722. Does the company that supplies you supply other parishes as well?—Yes.

4723. Do you think it desirable that your parish should undertake to supply the inhabitants with water?—The water question is a very difficult one to deal with, the question is where are we to get it from; we have not complained much about the supply of water; we are tolerably well satisfied with it.

4724. Do you think it desirable that the Metropolitan Board, having regard to the area to which the water is supplied, should undertake the supervision of the supply of water for the metropolis?—I think it would be very desirable for the Metropolitan Board to have the control of the water, if possible; but that is a subject that the vestry of Newington has not gone into.

4725. The water companies do not supply any district conterminus with the vestries or district boards?—No, they supply certain districts larger than the parishes.

4726. Would it be desirable that there should be one body to deal with the company for all the districts which it supplies, so as to test the water and otherwise watch over the supply?—I do not think it would be any use at all unless they themselves supplied the water.

4727. You mean unless the Metropolitan Board supplied the water?—Unless they had the waterworks and supplied the water.

4728. Do you think it desirable that they should become possessed of the mains and gasworks of companies that supply water?—I think so, decidedly; it would be better that they should have the supply of water and gas too; we have had great complaints about the gas, but none to speak of about the water.

4729. Have you completed the sewage of your parish?—No.

4730. Does much remain to be done?—Yes; the Metropolitan Board has just finished the main drainage, so as to give us an outfall; we are so low on our side that it was impossible to do it before. A survey has been made, and we expect to expend about 20,000 *l.* in new sewers.

4731. Have you completed the sewage of the streets independently of the outfall into the main drainage, especially the sewage of the courts and alleys in your parish?—As far as we could without getting a better outfall. I have here a list of places that we have drained.

4732. We understand that there are no places inhabited by the poorer classes that are without house drainage?—I cannot say that.

4733. To what extent do you suppose that the parish is without house drainage?—I am not prepared to state that.

4734. Have you had any reports made to the Board on the subject?—No; the works that have been executed, and the works to be executed, will afford sufficient house drainage to every house in the parish.

4735. So that there will be no complaint that the smaller houses inhabited by the poor are not drained?—I think the poorer parts of the parish are already well drained; the more outlying portions are the worst off, those that have been recently built where the poor do not reside so much.

4736. Have your Board taken any means to improve the health of the district, especially the parts inhabited by the poorer classes?—Yes, our medical officer, who is here, is a doctor of medicine; and we have also an inspector of nuisances, a surgeon; they are instructed to do everything that is possible to improve the condition of the locality.

4737. Has there been any disposition on the part of your Board to diminish its efforts in consequence of the expense to which the parish may be put?—None at all.

4738. Have the recommendations of the sanitary officers been carried out whenever they have been made?—Yes.

4739. Without exception?—I do not remember any case in which they have been resisted.

4740. Are the smaller streets now in a healthy condition, as far as you know?—Yes, as far as I know. We have them reported on, and I do not think there is any epidemic.

4741. Have you experienced any difficulty in enforcing

enforcing the sanitary provisions of the Health Acts and Metropolis Local Management Act?—I do not think there is any serious difficulty about it.

4742. Have you taken any interest in protecting the inhabitants against Private Bill Legislation?—Yes, especially with regard to the London, Chatham, and Dover Railway Company, and the Tramway Company, that sought to appropriate the greater part of our roads to their own private use.

4743. Have you found any difficulty in performing those duties?—No, only they are expensive.

4744. Do you think that the duty of protecting the inhabitants against Private Bill Legislation might be better vested in the Metropolitan Board?—Yes. The Metropolitan Board has the power, but we find it necessary to protect ourselves as well. We have done so this last Session.

4745. Do you think that in the first instance it should rest with them?—It is a great burden on a London parish, and very few are inclined to undertake it, especially if there is a long contest, as there was in 1860, lasting some weeks; it is impossible that any parish can go through such a contest to the end.

4746. All these Bills are more or less metropolitan in their character?—I am alluding to metropolitan Bills.

4747. What had you to do with them that required you to appear so long?—As a rule you must remain the whole time; you cannot go before a Parliamentary Committee without paying counsel's fees all the time, unless you withdraw before the decision.

4748. Did you oppose the preamble?—Yes, because in 1860 we knew that the railway would be a frightful nuisance to our roads, and so they have turned out. There are railway bridges passing over a great number of our streets.

4749. Did that render it necessary that you should oppose the preamble of the Bill?—We did not wish them to come in the manner they did through the parish.

4750. You mean in the direction they did?—We wished them to avoid the main thoroughfares, which might have been done.

4751. By taking another line?—Yes. We indicted the London, Chatham, and Dover Railway Company for a nuisance, and the indictment was carried to the assizes. The matter was referred, and the company have yielded, so far as that we have appointed an engineer to suggest means for preventing the nuisances of noise and percolation of water.

4752. Might you not protect yourselves against any nuisances by appropriate clauses without opposing the preamble?—We were at last obliged to do so; but we wished to get rid of the Bill altogether.

4753. Does your vestry perform these duties which we have been speaking of by committees or by the whole vestry?—Everything must be done by the vestry; but we have committees for paving, sewers, and finance, and they report to the vestry.

4754. How often do they meet?—Once a fortnight.

4755. Do they meet in the daytime or in the evening?—In the evening.

4756. And the vestry also meets once a fortnight?—Yes, in the evening.

4757. Do the members of the vestry attend punctually?—Yes.

4758. Is there a full attendance?—The number of the vestry is 72, and on an average half that number attend.

4759. Are the vestrymen persons of independent property or in business?—Some of each. Through their being divided into wards we get people of various classes.

4760. How many are retail tradesmen?—Perhaps half; I have not calculated.

4761. What are the other half composed of?—The first chairman was a county magistrate, Mr. Boyson, a timber merchant. There are some few merchants and some retired tradesmen; we have a very good mixture of classes.

4762. Do persons show any disinclination to be elected, on account of the amount of business or the frequency of attendance?—No; of course there are certain persons who will never take any public duty.

4763. Has there been much interest shown in the elections of vestrymen?—Yes; very great, at the commencement.

4764. And latterly?—No; the elections have been quieter.

4765. Have there been contests?—Yes; the first was a very severe one.

4766. Do many parishioners assemble at the meetings in the wards for the purpose of election? The number is small at present.

4767. Many more than the vestrymen themselves?—Three or four times the number of the persons to be elected.

4768. Is there much discussion about the persons to be proposed, or is it all settled beforehand by the vestry?—In some wards it is settled; in others we have had polls; our first election cost the different parties between 500 *l.* and 600 *l.*

4769. Is it the practice of the vestry to make out a list of the candidates to be proposed?—No; the vestry has never made out a list of the candidates; some of the members of the vestry have done so.

4770. And the persons on that list are generally elected at the meeting?—That has been so very frequently, but there is often opposition.

4771. Do you communicate your proceedings to the inhabitants?—They are all public.

4772. In what way?—The inhabitants are permitted to attend every meeting.

4773. Do you make any printed report and circulate it?—Yes.

4774. With the accounts?—Yes, as directed by the Act of Parliament.

4775. Do you take any trouble to make known the elections?—Yes, they are advertised all over the parish very extensively by bills; there are two sets of placards sent out.

4776. Have you any further suggestions to make to the Committee?—No; the vestry were desirous that you should see the extent of the work which has been performed in sewage and paving.

4777. Mr. *Kekewich.*] The county rate is much higher than the poor's rate, is it not?—The basis for the assessment is higher.

4778. The valuation is higher?—Not the valuation of the property; their basis is higher than our rateable value. They take our valuation of the property, the gross rental.

4779. But they do not make the same deductions?—No.

4780. You take the gross estimated rental, and then deduct insurance and repairs?—Yes, I believe so; I have no active superintendence of that business.

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4781. Do you think that the valuation is correct?—We do not complain of the mode of doing it for the county rate, especially since the County of Middlesex has been brought up. Our rate was reformed on the Surrey side before it was on the Middlesex side, and it pressed hard upon us; but now that the Middlesex basis is brought up to the proper standard we are contented.

4782. Is it not the fact that the county rate is made on certain arbitrary principles, whereas the parochial rate is made on certain principles laid down in the Union Assessment Act; probably your parish has not been rated according to the principle of that Act?—No; I do not believe any other parish has been.

4783. *Chairman.*] Do you know the per-centage of the deductions made by your parish?—The rating is four-fifths.

4784. Of the gross estimated rental for the poor rate?—Yes.

4785. Do you know what deduction is made from the county rate?—No.

4786. You make a much larger deduction for houses compounded for?—Yes.

4787. Mr. *Turner.*] You say that you are improving the streets in your parish?—Yes.

4788. But you are not borrowing money for your improvement?—No.

4789. How much per annum do you lay aside for your improvements?—Except for paving, the vestry have not set apart any particular sum. For the paving they set apart 3,000 *l.* a year.

4790. Have you contracted any debt for public works of any kind?—No; we are about to borrow money for these sewers; we have borrowed money for the vestry-hall.

4791. Do you know the amount of the county rental upon which the county rate is assessed?—No.

4792. *Chairman.*] You return one member to the Metropolitan Board?—Yes.

4793. And he is elected by your vestry?—Yes.

4794. Has any question been mooted in regard to increasing your representation at the Metropolitan Board?—No.

4795. Has any complaint been made by your representative as to the duties imposed upon the members of the Metropolitan Board?—No, they have generally been gentlemen who have had time at their disposal. Mr. Boyson was the first, and he did not attend much to business; Mr. Durmer was also a member; the present member is a surgeon.

4796. Would there be any inconvenience in selecting a representative to the Metropolitan Board directly by the inhabitants?—I do not know that there would be any inconvenience.

Dr. William Tiffin Iliff, called in; and Examined.

Dr. *W. T. Iliff.*

4797. You are the Medical Officer of Health appointed by the Newington Vestry?—Yes.

4798. Do you visit all the houses occupied by the poorer classes?—The inspector visits them; he attends to all complaints that are made, and I see any cases that he thinks right to ask me to see; or if they come to me in the first instance, I go myself.

4799. Have you found any difficulty in getting the houses occupied by the poorer classes in a healthy condition?—Very great difficulty, owing to the overcrowding on the one hand, and the habits of the poor themselves on the other. They often destroy the water-butts, and do much wilful damage to the houses. As regards our vestry, I have had no obstacle thrown in my way in carrying out sanitary works.

4800. But as regards the people themselves, are there many difficulties experienced in getting the houses in a proper condition?—Great difficulties, on account of the smaller houses being occupied by several families, where before they were occupied by only one or two; and if I turn them out of those houses on account of their being overcrowded, I do not know where they can go, so that to some extent I am often powerless to effect satisfactory improvement.

4801. Are the houses unhealthy from defective drainage?—The old system of drainage was by cesspools or high-level old brick sewers; those are being done away with as far as possible; but our district being so low we cannot lay down new sewers to drain the houses into, until the main sewers, which are sunk deep, are in a position to receive the contents. We are, of course, very much hindered at present by such a state of things.

4802. Do you consider that any additional power is required to enable you to keep the houses of the poor in a healthy condition?—There are some points with reference to the application to the magistrates, in which I think we want more power, and which the officers of health have laid before the Home Secretary.

4803. In what way?—The officer of health with the clerk of the vestry, or some one else, should have the power of summoning a person early, instead of being obliged to wait until the vestry meets. I may mention a case that has occurred recently: the night after the vestry meeting a very great nuisance was reported to us; we visited it, but we had to wait a fortnight before the vestry met, in order to get leave to apply for a summons. The magistrate requires a week before hearing the case, and then he gives a week or two to do the work; we have no control over that state of things.

4804. So that a month elapses?—A month or five weeks the nuisance may remain; I think we want some such plan as they have in the City, where, if the order is served from the Board and the work is not done, the magistrate has the power to inflict a fine for every day after the order has been given to abate the nuisance.

4805. In addition to ordering the nuisance to be removed, he may inflict a fine for continuing it after the notice?—Yes; otherwise it is the landlord's interest to oppose us, and thus sometimes urgent sanitary work is delayed four or five weeks or more.

4806. Are there many houses in the parish that are so badly constructed or so close together that they are unfit for habitation?—We have not many houses which are so close together as to make them unfit for habitation; the indifferent state of repair which many are in gives some relief in the matter of ventilation which we otherwise should not get; broken windows, &c., are not always objectionable, because ventilation is thus procured.

4807. As far as the structure of the buildings is concerned, and their position, you do not think that there are any houses unfit for habitation?—No, I do not think that we have a right to say that

that there are any that are absolutely unfit for habitation in consequence of the structure of the building.

4808. They are only rendered unfit by the uncleanly habits and carelessness of those who live in them and the overcrowding?—Yes.

4809. You have sufficient power to deal with that want of cleanliness?—We have sufficient power, but then the habits of the poor themselves are against us. There is a street in the Borough called Kent-street, where we have had a privy thoroughly cleansed, and in 24 hours the seats have been covered with ordure by the people themselves.

4810. Mr. *Kekewich.*] Is the sanitary state of your district in a better condition than it was some time ago?—Very much.

4811. You say that overcrowding is one of the principal causes of unhealthiness?—Overcrowding is one of the most material causes, no doubt.

4812. The people themselves, when the houses are cleaned, soon relapse into a state of dirt and uncleanliness?—Yes; where in a small house each room is occupied by a family it is quite impossible that they can pay the attention they ought to cleanliness; there is always dirt about, and the people rub their clothes against the walls, and in various ways dirt almost unavoidably accumulates.

4813. Do you not think that the accommodation of the poor in that way generally determines their character as to cleanliness or dirt?—Very much.

4814. And that if they had better houses, they would have better habits of cleanliness?—I think so; if you make them clean out of doors, and give them better houses within, you improve their character materially.

4815. Are there no dust-bins into which they can throw rubbish, or do they throw it in front of the houses?—The dust-bins are often soon destroyed, and dust heaps only found; they do not throw much in front of the houses, and they have all privies into which slops are thrown.

4816. I believe, in the Poor Law examination, sufficient grounds were alleged for additional buildings in Newington?—There is a very large property belonging to the parish, the leases of which will fall in three years time; it is nearly all built upon. We have not any spare ground in Newington, except the Surrey Gardens, now occupied by St. Thomas's Hospital.

4817. You think if you had a greater number of dwellings, the habits of the people would be different?—Yes.

4818. Mr. *Turner.*] In connection with the state of filth that you have described, are the people occupying the neighbourhood to which you refer, an educated or an ignorant and dissipated race?—We have a large number of costermongers, and the lower class of people.

4819. In the court to which you referred as having been cleansed, and in 24 hours being as filthy as before, have the inhabitants any education?—No; they are chiefly Irish, and the court is open to the street, so that any one may go in. I do not say that the people themselves in the court are the sole cause of the mischief.

4820. You do not know whether these filthy habits arise from a total want of education or not?—No; the landlord has a man employed at the entrance of the courts whose business it is to clean them down, and do all that he can to keep them sweet; not only there, but in some parts of Walworth, I have seen rooms in a most disgusting state, and things are done by the costermongers, and people of even a lower class, that are of the most offensive description, and necessarily engender disease.

4821. Mr. *Mill.*] What is the condition of the common lodging houses in your parish, to which the recent Act applies?—They are in a very good condition; we have only one set in Kent-street; I was over them all about a month ago, when they had received their cleansing, and were in a very good condition; I only wish the poor as a rule had places to live in like them.

4822. Have you ever taken into consideration the expediency of extending to other houses, the houses of the respectable poor, any of the powers which already exist in regard to the very lowest class of lodging houses?—Yes; the Association of the Officers of Health have embodied that in a memorandum submitted to the Home Secretary, suggesting that they should have some power over the rooms.

4823. *Chairman.*] Does the difficulty arise from the fact that these Irish, and other persons have been brought up in the country, and not accustomed to the habits of town life?—Partly so, for they are a very wandering people in the summer time, living about in the hedges, and they come to town in the winter.

Mr. John Edwin Bradfield, called in; and Examined.

4824. *Chairman.*] What part of the metropolis do you represent?—The parish of Islington.

4825. Do you attend with two other gentlemen as a deputation on behalf of some inhabitants of Islington?—Yes.

4826. Are those inhabitants satisfied with the administration of the rates in your parish?—No, they are very much dissatisfied.

4827. What is the cause of their dissatisfaction?—The neglect of the parish to maintain not only the carriage way, but the footpaths of one of the principal roads, connecting Holloway with Camden Town, called the Camden-road.

4828. Is that in a proper state of repair?—Since the petition of the inhabitants was presented, the parish have repaired the carriage way, and it is in a very fair state, but the footpaths are in a very sad state indeed, not only as regards levels, but as regards the pavement. In some portions the whole of the footpath is paved right up to the kerbstone; in other parts it is only partially paved, and in some places it is not paved at all.

4829. Are there any other roads and footpaths that are out of repair, or in a bad condition in the parish?—I believe the question of roads and footpaths of Islington has been a frequent subject of complaint amongst the inhabitants of the various districts for the last six years. Since the petition was presented, I have received a whole batch of communications from various parts of the parish, in which the inhabitants make one and the same complaint, that the parish is universally neglected in reference to the repair of the roads.

4830. Can you point out specifically any other important

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important roads and thoroughfares that have been neglected? — Victoria-road, Almorah-terrace, Cleveland-terrace, Almorah-road, Cleveland-road, ,Gloucester-road, Cambridge-road, Charles-street James-street, Lower-road, Victoria-road. Those are the places named in the communications, and the complaint is that no portion of the general rate has been expended on the roads, footpaths, and crossings of the aforesaid places; but I think that the worst case of all is the one to which the petition which has been referred to the Committee relates, that is, the main road extending from Camden Town up into Holloway. It is about a mile and a half long; it is one of the old turnpike roads given up in 1864; part of it is in St. Pancras, and part of it in the parish of Islington. When you go from Camden Town as far as the "Brecknock," you are in St. Pancras parish, and there the road is well kept and the pavement perfect; but no sooner do you pass the boundary of St. Pancras parish, and come into Islington, than you find it quite the reverse. The inhabitants on both sides of the road have held meetings for the last three years; they have attended before the vestry, and the vestry have handed them over to the highway committee. They have attended before the highway committee, and received all manner of assurances on the subject. Up to the 9th of March, when the meeting was held, at which this petition was resolved upon, the road was in a most disgraceful state. Some of the inhabitants, in order to make a proper pavement before their own houses, paved the whole; and no sooner was this petition presented than the vestry sent them a letter intimating that they had resolved to take up the whole of the pavement, and do it over again. That was protested against, and the vestry was informed that this being an important metropolitan communication, and a turnpike road, it was the duty of the parish to repair it; because it was not merely a road used by the inhabitants, but a main channel of communication. The result was that the Highway Committee on the 9th of May sent this communication to the chairman of the meeting: "St. Mary, Islington Vestry Offices, Upper-street, N., 9th May 1866 (Camden-road).—Sir,—The Highways Committee yesterday evening considered your letter with the copy of resolution attached to your letter of the 30th April last, and I am to inform you that they have given directions to the assistant-surveyor (Mr. Cormack) at once to complete the repair of the footpaths by putting down gravel on those parts of the footpaths not flagged. You probably are aware that the vestry last Friday directed the kerb to be continued. I am, yours truly, John Layton, Vestry Clerk. H. R. Dale, Esq., 281, Camden-road." After the 9th of May they levelled the kerb of the road throughout, leaving the footway as it was, but sliced it down, so that on one side it is as if you were walking on a table or a high bank. That is the management of the parish of Islington.

4831. To what do you ascribe this neglect on the part of the Islington vestry with reference to the roads? — I think it is a general neglect throughout the whole parish—mismanagement; the rates are sufficient for all purposes; it is one of the largest parishes in the metropolis, about four times the size of the City of London, with a population of 160,000. The assessment, as I think you will find from returns, has more than doubled in 15 years.

4832. Its expenditure in the pound is not very high?—Last year it was not quite 4 *s.*; this year it may be somewhat above 4 *s.*

4833. Why do not the inhabitants obtain redress by electing other persons instead of the present board?—That question did come before us this year, but unfortunately we were not quite prepared. The road that I have referred to is a road dividing two wards of Islington, No. 1 and No. 2. No. 2 extends to the lower part of the Caledonian-road, and No. 1 goes up to Highgate; they are both very large wards. When the election took place at Whitsuntide, we did bestir ourselves, and went to the meeting, where we received an assurance that in future the subject of our roads and footpaths should be considered. I was nominated the first time in my life on account of this very question. I was very glad I was not elected a vestryman.

4834. Then it would seem, that if the inhabitants choose to bestir themselves they can compel a vestry to administer the affairs of the parish properly?—With great respect, I do not think that is the case. The time that would be occupied in a parish like Islington, where the vestry-hall is 2½ miles away from a person's residence, is a complete bar in the way of getting those gentlemen who really would take an interest in such a thing as this to come on the vestry. I think the error arises from there being no control over the vestry.

4835. How would you exercise any control?—By giving jurisdiction in case of anything wrong being done, either to a magistrate or to the Metropolitan Board of Works. I may mention that the persons who signed the petition are householders, and lessees of property, representing property rated to the extent of about 15,000 *l.* When we went before the vestry we were told we must go before a committee. One of the errors is, that the committee is composed of the very gentlemen who have already prejudged the question; they have applied the rates that we have paid, and laid them out upon their districts. That will always occur in a parish like Islington, part of which is in a more townlike district, and part nearly in the country, so that the rates will be in the hands of those who are in the town part, and applied to the improvement of that town part, and the country part has to take care of itself.

4836. Is there any remedy for the misconduct of the vestry except that of turning them out and electing others? — An indictment for not keeping the road in repair would of course lie, but the object of the gentlemen who are associated with me in this matter is to get a more easy process than an indictment against a parish in the case of such a public nuisance and annoyance as this.

4837. You would allow inhabitants to appeal to the Metropolitan Board, and obtain an order for the vestry to repair the roads?—Yes; and if the Metropolitan Board of Works found that it was a case of a great thoroughfare that ought to be repaired, it should have the power to do the work, and assess the parish. I think in the suburban parts of the metropolis that would be a very wholesome regulation. The power would perhaps never be exercised, because the vestries would then do that which was right and proper.

4838. Have you heard of any complaints as to the condition of roads in other parts of the metropolis?—The condition of roads is a subject that has been discussed in the public press, and I think that

that it is a disgrace to the whole parochial management of the metropolis.

4839. I believe you are connected with the London General Omnibus Company?—I have been connected with the roads and footpaths of the metropolis for 15 years; I have made it my study to improve them, not only by the removal of tollgates, but by other means.

4840. Does the London General Omnibus Company find any inconvenience in consequence of the bad state of the main roads?—The only time that I was consulted upon the bad state of the roads was in winter, when the shopkeepers and others sweep the snow into the centre of the carriage-way, and there is no power which can be applied to clearing the obstructions which are put in the road.

4841. You mean when there has been a heavy fall of snow?—Yes, so that it renders the passage of vehicles quite impossible.

4842. How are you to deal with the difficulty of a heavy fall of snow; would you have it carted away?—I do not think there is any difficulty about it; I do not see why power might not be given to clear away the snow and frost from the streets, so that the carriage-way might be as free as the footpath. The housekeeper who may be residing in the suburban parts is waited upon as much as the shopkeeper to clear the front of his house, and he must throw the snow right upon the carriage-way. If there is a power given to clear the footway, why should not power be given to some one to clear the carriage-way?

4843. That would be a compulsion upon the local boards and vestries?—Decidedly, it must become compulsory, and it must be acted upon at once.

4844. Would it not entail enormous expense to clear away the snow?—I was speaking on the subject to a member of the Metropolitan Board of Works, Mr. Le Breton, during the late fall of snow, and he said that the subject had been discussed at the Hampstead Vestry, and they found that it would not cost so much as was anticipated.

4845. Would it not be an enormous labour to remove a heavy fall of snow all over the metropolis?—I went from Temple Bar to Charing Cross when the snow was in the Strand last winter, for the purpose of trying to form an opinion how soon it could be got rid of, and it seemed to me that if a contractor had taken the order to remove the snow, it might have been done in a few hours by means of one of the new locomotives and a team of waggons.

4846. You would not propose to remove the snow from the whole of London, but from the main thoroughfares?—From the main thoroughfares. It is almost necessary that the communication on the main thoroughfares should be kept free.

4847. Independently of the snow, have the London General Omnibus Company made many complaints as to the state of the roads?—There is only one other subject, I think, to which I need refer, and that is the system of watering the roads. In some weather it makes the stones very slippery, and the horses fall about to a great extent.

4848. How is that to be prevented?—It can only be prevented by throwing some gravel on when the scavenging takes place. Where there are inclines, as at Charing Cross and St. Martin's-lane, the horses are very apt to fall.

4849. Would it be very expensive?—It only occurs at certain times.

4850. Have you any other complaints to make?—Those are the only two matters that I have been consulted upon by the London General Omnibus Company. This particular case is one that arose in my own locality. I am a householder, but I am not interested pecuniarily in the matter, for I have paved the whole of my footpaths, having a long lease, and so have my immediate neighbours; but we come here more on behalf of all the inhabitants of the road, and also because when we went to the vestry of Islington two and a half years ago, we were promised redress by the Highway Committee; and when we come before this Committee, the first thing we hear of is a threatening letter from the vestry clerk, saying that they will take all these roads under their jurisdiction, and repave them, and charge us for it, we paying the "general rate" as well.

4851. Perhaps it would take too long to make a change in the vestrymen, so as to enable you to get redress?—It will take next year, and this is a question that affects us now. There is a very considerable traffic between Holloway, the Seven Sisters'-road, Regent's Park, and St. Pancras. There is a parish on one side, maintaining its roads in good repair, through which the inhabitants can travel well; and close by it is another parish, levying rates professedly for the same purpose; not applying them to the particular district, but applying them to places like the City-road, Barnsbury, and the more town-like parts of the parish. You are aware that in a large and important turnpike-road like the Camden-road, the houses are of a substantial character. They were heavily rated, and they pay more in proportion to the rates, than do the inhabitants of the town parts, where there are shops.

4852. If you gave to the Metropolitan Board any power on appeal do you think they would exercise it satisfactorily if the members were only delegated to the Board by the vestries themselves and not by the inhabitants?—I think that the independence of the members of the Metropolitan Board would be increased if they were not elected by the vestry; though we might have the same class of gentlemen in the Metropolitan Board it would be more satisfactory if they represented interests in the parish and not vestry interests.

4853. Do you see any difficulty in electing members of the Metropolitan Board in the parish of Islington?—None whatever; if the election was open gentlemen would be prepared to stand to be elected.

4854. Do you think it would be desirable that there should be more than two representatives to the Metropolitan Board from Islington?—I think the number ought to be doubled; and if there is an increase the extra number ought to be elected by the inhabitants, without reference to the vestry.

4855. Mr. *Kekewich.*] I do not exactly understand how that turnpike-road got upon the rates of Islington?—By the abolition of turnpikes in the metropolis in 1864 it was specially thrown upon them.

4856. Is there no debt?—No; the road became part and parcel of the parish in the same way as other roads.

4857. During the time when it was a turnpike road it was very well maintained, I suppose?—Yes; and I should supplement that answer by saying

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saying that having been engaged myself in promoting the abolition of turnpikes, the objection that was made against me at every vestry that I attended for the purpose of procuring advocates for the abolition was, that it would cause such a large rate to be thrown upon the parishes. In Islington, that rate was levied upon us as soon as the gates were gone, but they never applied the money until very recently.

4858. I suppose the parish could not help themselves; it is an ordinary act of legislation?—Yes.

4859. When there is no debt upon the trust, it is put into a Turnpike Continuance Bill, and then the next year the parish takes it under the Highway Act?—That was not the case with the metropolis; the north side of the Thames was under a perpetual commission, and it became necessary therefore to have another Act of Parliament to divest the Commissioners of that portion of the roads which was in the metropolitan area; this was under Sir William Jolliffe's Act, which came into operation in 1864; it was a different Act to those which have been alluded to, a special Act for the metropolis.

4860. The parishioners of Islington have entirely got rid of the tolls?—Yes; and the traffic has been enormous through that road ever since.

4861. I suppose that there are not many persons who pass through that road going to other places?—Yes; there is a great deal of through traffic, because all the hay that comes into Cumberland market from Essex and Hertfordshire, goes that way, and the millers at Chingford, and places in Essex, bring their flour that way to the west end of London.

4862. Do you know any other roads in the neighbourhood of London in similar circumstances, where the turnpike has been handed over to the parish?—Yes; I know them all.

4863. Are they generally well maintained by the parishes?—In some places, they are much better maintained, and in others worse, but I am certain that if an appellate jurisdiction was given to the Metropolitan Board of Works, there would be no complaints whatever. The vestries would never like to be overhauled by that tribunal, and they would do what was fair and proper; I think that would be a wholesome restriction, and under all circumstances, it would be a very proper thing to be done.

4864. You may prefer a bill of indictment at the sessions?—And be fought by our own money; the parish in opposing a bill of indictment, make a rate to pay the expenses; that is a remedy which ought to be abolished in the case of the metropolis; it is a tedious one certainly.

4865. The same parties are plaintiffs and defendants?—The same parties are plaintiffs and defendants, and under any circumstances, you must pay costs on both sides.

4866. Mr. *Tite.*] With regard to the nomination of the member to the Metropolitan Board, you seem to think that it would be better if it was managed by the votes of the inhabitants rather than by the nomination or election of the vestry itself?—As a resident (not connected with the vestry), that is my opinion.

4867. The representatives of the Metropolitan Board are at present limited to three years?—Yes.

4868. Would you continue the election for three years?—Certainly.

4869. You would not have an annual election?—Certainly not.

4870. And house to house voting?—I do not know about house to house voting; I have not turned my attention to that, but I would not have an annual election.

4871. Why not?—If it was an annual election, it would remove one inducement for gentlemen to stand; they would not like to go up every year.

4872. You think that the class of men who represent you on the Metropolitan Board of Works would not be content to endure the difficulty, anxiety, and trouble of an annual election?—I do not think they would.

Mr. Charles Lahee, called in; and Examined.

Mr. *C. Lahee.*

4873. *Chairman.*] Are you Vestry Clerk of the parish of Chelsea?—I am; and clerk to the vestry also.

4874. I believe the parish of Chelsea presented a petition to the House, requesting to be allowed to give evidence before this Committee?—Yes.

4875. Have the vestry desired you to appear here and give evidence?—They have.

4876. Is any member of the vestry attending with you?—No.

4877. Have they considered what evidence you are to give?—Minute points have not been considered by the vestry. I am here principally to state facts with regard to the population and various things of that kind.

4878. Are you here to state the views of the vestry or only your own views?—Not the views of the vestry.

4879. Mr. *Tite.*] The vestry of Chelsea, I believe, consists of the parish of Chelsea?—It is co-extensive and parallel with the parish of Chelsea.

4880. What is the amount of the population?—The population revised to the 8th April last was 67,129.

4881. How long have you been connected with the vestry?—Since the commencement of the Metropolis Local Management Act; 10 years.

4882. You were appointed then?—Yes.

4883. Are you familiar with the law affecting the local government of the metropolis?—I think so.

4884. From your experience on the vestry of Chelsea?—Yes.

4885. Do you consider the present system of management for paving, lighting, and cleansing purposes well or ill suited to the wants of the inhabitants?—I think it well suited. I think the election of members from all parts of the parish insures a due consideration being given to all complaints, and a faithful representation of the views of the parish.

4886. How is your Board constituted?—There are 60 members of the vestry elected, and three *ex-officio* members, the rector and two churchwardens.

4887. Of what class is the vestry composed?—Mainly of shopkeepers and retired tradesmen.

4888. Have you a list of them?—I have.

4889. What are their positions?—One is an Earl; we have also a Member of Parliament, a captain

captain in the army, colonels in the army, and solicitors; the majority are tradesmen.

4890. Do they fairly represent the parish of Chelsea?—I think they do. The majority of the parish are middle class people, and their representatives circulate amongst them, so that they represent their views fairly.

4891. Have you a sanitary officer; and, if so, how is he paid, what are his duties, and how are they conducted?—There is a medical officer of health, Dr. Barclay, living in Bruton-street, Berkeley-square. He has 200 *l.* a year. He is also the gas examiner and food analyst. He is an entirely independent man, and whatever presentments he makes to the Board are invariably attended to. At the last meeting of the Board, upwards of 100 sanitary notices were issued according to his recommendation.

4892. In consequence of his report?—In consequence of his presentment. I have a return of the sanitary operations of the vestry for the last 10 years, showing that upwards of 7,000 notices have been issued, and it has been only necessary to resort to compulsory proceedings in 407 cases. (*The return was delivered in.*—Vide *Appendix*).

4893. Do the vestry hesitate, when their views are not attended to, to take the matter in hand themselves?—At the first establishment of the vestry they did a great many of the works themselves, and incurred a debt of 500 *l.* or 600 *l.*

4894. That is at present unpaid?—It has been written off as bad, in consequence of the difficulty of recovering the money, the owners being so poor, and so on. Since then the vestry have endeavoured to work the Nuisances Removal Act, which requires an order of the magistrates before the works are executed; but the police magistrate to whom we applied, declined to make the orders we asked for, saying that the vestry had power to do the works themselves, so that we are placed in a great difficulty.

4895. What is the difficulty?—The difficulty is, that the magistrate will not make an order under the Nuisances Removal Act, to do the necessary works, and if the vestry do the works themselves, under the Metropolis Management Act, which does not require a magistrate's order, they have great difficulty in recovering the money; in fact, we have been obliged to abandon the attempt to recover the money.

4896. Why are you obliged to abandon the claim?—On account of the poverty of the owners.

4897. And the disinclination of the magistrate to help you?—Both. Several persons have been sent to prison in consequence of failing to pay, and that purges the debt.

4898. Have you ever attempted to pull down any houses, or are there any houses in Chelsea which you think are undesirable and improper for human habitation, or do they merely want the amelioration of drains, proper water-closets, and a sufficient supply of water?—I think only in two cases have we applied for an order to close a house. Quite recently we obtained such an order; I am not aware that there is any large number of houses that require to be absolutely pulled down.

4899. You did obtain an order to close a house?—Yes.

4900. Who gave that order?—The police magistrate.

4901. Why was that order given?—Because the house was shown by the parish authorities to be unfit for human habitation.

4902. Did you pull down the house or leave it shut up?—In that case the owner undertook to put it in repair. It was shut up for six weeks. The case was then reheard, and the prohibition to use it was withdrawn.

4903. The owner having in the meantime made the house habitable?—Yes.

4904. A part of Sloane-street and of another district is divided by the parish of Chelsea; have you found any difficulty in working that, with regard to sewers or paving?—With regard to the repair of roadways, there are parts of Chelsea intermixed with Westminster, Kensington, and Willesden, and in all those cases we came to an arrangement with the various parishes without any difficulty. In some cases we do the works and in some cases we pay for the works, but there has never been any necessity to appeal to the Metropolitan Board in the matter.

4905. You have always come to terms among yourselves?—Yes.

4906. Is the election of members to the vestry made public, and is it tolerably well known or otherwise?—We take the steps prescribed by the Act, issuing notices, and placing them on the church doors, and other public places. We have also shop bills; and, in addition to that, great publicity is caused by the operations of two societies of ratepayers, who advertise the matter in the local papers.

4907. You have recently had an election?—Yes.

4908. Was public attention called to it by the ratepayers' association?—It was.

4909. By notices in the local papers?—Yes; I have here a copy of a local paper containing a large advertisement.

4910. A great deal of talk, I suppose, is excited in the parish and neighbourhood, and that brings forward any man who desires to stand as a canddiate for a seat in the vestry?—Generally speaking, the list of candidates is arranged by one or other of these societies. They take the conduct of the election, as it were, in their own hands, and very freely advertise the fact of the election being about to take place.

4911. They make it well-known?—Yes.

4912. You take the ordinary course prescribed by the Act of Parliament, of putting notices on the church and chapel doors?—Yes, and publishing bills in shop windows.

4913. These persons in the parish who are anxious to have proper people, take their own course?—Yes; they generally demand a poll, pay for the cabs necessary to bring up the voters, and take all the trouble.

4914. Is there much competition occasioned?—Hitherto there has been great competition. There have been polls demanded in almost every ward; but at the last election there was not a poll in any ward, because there was no opposition.

4915. Those members who had been on previously were re-elected?—They were re-elected, with one or two new members.

4916. I believe there have been only two members from your vestry at the Metropolitan Board?—Only two.

4917. In the first instance, your representative was a magistrate?—Yes, and the next yourself.

4918. There has been no competition?—There has been no difference of opinion on that point. The vestry, I am sure, feel that they are highly honoured by being represented by you.

4919. What is the sanitary condition of the parish of Chelsea?—The parish of Chelsea is full

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of small houses; six-sevenths of the houses are under 40 *l.* a year rateable value, and many of them, but for our exertions, would be in a very bad state. I believe them to be in as good a condition as that class of property can be.

4920. What is the death rate?—I do not know.

4921. With regard to the cow-houses, slaughter-houses, and so on; are those things thoroughly and honestly attended to?—Quite so; every year before the licenses are applied for, those places are visited, and a special report is made upon every cow-house, slaughter-house, and bake-house by the medical officer. We attend before the magistrates, and if it is necessary we oppose the granting of licenses, the bench of magistrates always listening to the suggestions of the vestry and the medical officer.

4922. Practically, is there any difficulty in obtaining fit and proper persons to act on the vestry?—I think there is no difficulty.

4923. Is there any anxiety about it?—I think there is a great desire among the resident tradesmen to serve on the vestry.

4924. Is that a matter of credit, honour, and respectability, or because they are to get something by it?—I am sure they get nothing but labour by it.

4925. What is the average attendance; 30 or 40 out of the 60 members?—The average, I believe, has been 30 for 10 years.

4926. You know nothing, I suppose, of the constitution and action of any other vestries and district boards than your own?—No.

4927. Have you any suggestions to make?—I have here a tabulated statement of the expenditure of the vestry during 10 years, showing that we have collected in the parish, and spent 226,795 *l.*

4928. In what?—In paving, lighting, watering, cleansing, removing dust, &c., and contributions to the Metropolitan Board.

4929. That is the total amount of the rating?—The total amount of the expenditure. (*The statement was put in.*—Vide *Appendix.*)

4930. Do you think that in case of a difference of opinion between the inhabitants and the vestry there should be an opportunity of appealing to the Metropolitan Board, who should have power to determine the question?—Yes.

4931. Have you ever had a case in which that kind of appeal has been made on moral grounds without reference to the law?—I have never heard of any such case; we have had appeals to the Metropolitan Board with regard to drains and sewage; specific acts done by the vestry have been appealed against; but there have been no complaints made of the vestry.

4932. *Chairman.*] Do you think if such a jurisdiction as you have spoken of were given to the Metropolitan Board, considering the increased duty imposed upon it, it would be desirable to increase its numbers to insure the efficient performance of that duty?—I should think that the number is quite large enough now for deliberative purposes.

4933. As well as for administrative purposes?—Quite large enough, I think.

4934. What is the number of your board?—Sixty.

4935. Do you consider that the number of your board is too large?—I think our board being a large one spreads itself more over the parish; so that the members hear the small complaints that vestries have to deal with.

4936. If your board, administering affairs of the parish, numbers 60, and the Metropolitan Board administering all the affairs of the metropolis only numbers 44; do you think it is desirable to enlarge the number of the Metropolitan Board?—Our attendance is only 30, although our number is 60.

4937. Is it not necessary where people give gratuitous assistance for public duties to have a number greatly exceeding those who attend, in order to secure a full and efficient attendance?—I think that the average attendance of the Metropolitan Board, with 45 members, is greater than that of the vestry with 60 members.

4938. Mr. *Tite.*] Do you get the return regularly?—I have the printed minutes of the Metropolitan Board, and I see the names of those who attend. I think there are 30 members attending on the average.

4939. *Chairman.*] Would there be any difficulty in electing a member to the Metropolitan Board directly by the inhabitants of the parish?—There would be great trouble, but no insuperable difficulty.

4940. What trouble would there be?—Making the public announcements, bringing people to the poll, and all the trouble of a public election; if it were done by voting papers, as in the case of the Board of Guardians, it would require the police to be employed, and there would be a great deal of trouble connected with that.

4941. You have to take the votes of the inhabitants for the election of Guardians?—Yes, every year.

4942. Then if at the same time the votes were taken for a member of the Metropolitan Board, it would be no trouble at all?—On the same paper, probably not.

4943. Is your parish under a Local Act?—As regards the poor it is under a Local Act; it is under the Metropolis Local Management Act as regards other matters.

4944. How are the administrators of the Poor Law elected under the Local Act?—They all go out of office every year, and they are all elected by means of voting papers which are left at every house.

4945. Is that prescribed by the Local Act?—Yes.

4946. Are they the same persons as are elected to the vestry under the Metropolitan Local Management Act, or are they generally different persons?—About half of the Board of Guardians, which is a smaller body, are members of the vestry. The Board of Guardians numbers, I think, 24.

4947. Do you send a requisition to the Board of Guardians to levy the amount that you require for your purposes?—Yes, orders.

4948. Do they assess the parish, and collect the rates by their officers?—They do.

4949. Then the overseers and churchwardens in your parish have no duties to perform except the churchwardens in connection with the church?—The overseers prepare lists of county voters and jury lists, but they have nothing to do with regard to the poor; the board of guardians are overseers and undertake all matters connected with the administration of the poor-rate.

4950. Have you a chairman of your vestry?—The rector, by law, has a right to take the chair.

4951. Does he ever come?—Very seldom; he comes once a year, on Easter Tuesday, to appoint his own churchwarden.

4952. And

4952. And to assert his right?—Probably so.

4953. How do you find a substitute for him when he is not present?—There is a sort of understanding that one member shall be always called to the chair, and the same individual takes the chair at all committees and sub-committees.

4954. He has to do all the duty without being recognised in the distinctive position?—When the Board or the committee is not sitting he has no particular position.

4955. Nor has he in the administration of your affairs any distinctive position, but is merely a vestryman?—He is the chairman of the meeting for the time being.

4956. Do you think it desirable that he should be recognised by law as having a distinctive position as chairman for the year?—I think not; I think it is better that the officers of the various departments should be responsible while the Board is not sitting.

4957. You think it is not desirable that any elected person should represent the public when the Board is not sitting?—If a gentleman of very great knowledge and experience in such matters were chairman it might be different, but I think with the ordinary class of our vestrymen it is better not to have a fixed chairman during the intervals.

4958. If there were a responsible head of your parish recognised by law do you not think that persons of a certain capacity and station would be found to fill that responsible position?—I think that would be desirable, but I think there would be a great difficulty; we have 150 meetings in the year, and there are a great variety of matters that such a person would require to be master of; and the duties would be more, I think, than we could expect a man of position to undertake.

4959. Supposing he had the liberty of appointing a deputy in his absence, do you think that there should be some person of distinctive position who would be looked up to as a head like the sheriff of a county or the mayor of a town?—I think that would be a good thing.

4960. Are you a professional man?—I am not a solicitor.

4961. Have you any practical difficulties in enforcing sanitary laws in your parish?—There is a difficulty with the police court.

4962. But in the law itself?—No, I think not.

4963. Mr. *Tite.*] There is a large sum of money that you said you could not recover?—Yes; for the reasons which I gave.

4964. *Chairman.*] Beyond that you have not found any difficulty?—No. We have had great trouble with gas matters; we have close by our parish the large works of the Imperial Gas Company, and their main for supplying the north of London runs through our parish, as we say, to the great danger of the inhabitants; it is three feet in diameter. We wished to refuse them permission to put down that main; but they appealed to the Home Secretary, and he granted the application. I think that an appeal to the Metropolitan Board would be better, under such circumstances, than an appeal to the Home Secretary.

4965. Do you think it desirable that the Metropolitan Board should have a general supervision over gas companies to secure the proper conduct of these companies in relation to the metropolis?—I do.

4966. Do you think that the same observation applies to the water companies?—I think it very desirable that the Metropolitan Board should have control over the water companies. We have no difficulty with the water companies. They have just agreed to give us a Sunday supply, but there might be matters on which we should be at variance.

4967. Have you experienced any difficulty in protecting the interests of the inhabitants against the action of companies in Parliament or otherwise?—We have never been appealed to as between inhabitants and the companies, except, I believe, in the case before mentioned, the increase of the Imperial Gas Works at Fulham, which we are now opposing.

4968. Have you ever had to appear before Parliament?—We made an appearance before the Metropolis Gas Committee this Session, and in 1860 we were heard.

4969. You did not appear before the Committee?—The gas examiner did.

4970. As a witness?—Yes.

4971. But you did not yourself appear?—Our case was taken up by the City of London.

4972. You put yourselves in the hands of the City of London?—Yes.

4973. Why did you not communicate with the Metropolitan Board and put yourselves in their hands?—We were invited by the City of London and not by the Metropolitan Board.

4974. Do you mean that they made no communication to you that they were appearing before that Committee?—They made no communication.

4975. The City of London, I presume, offered to keep you free of expense?—Yes.

4976. So that you thought it better to put yourselves in their hands?—That was so.

4977. Were you aware that the Metropolitan Board were appearing against the gas companies?—I did not know it at all.

4978. Are the accounts of the parish of Chelsea and all the circumstances connected with the parish carefully stated in a report every year?—They are. I have here the last annual report.

4979. Mr. *Knatchbull-Hugessen.*] In your appeal to the Secretary of State, did you represent to him the dangers with reference to the gas main?—In our reply to the appeal we did so.

4980. You think that the Metropolitan Board of Works would be more sensible of those dangers than the Home Secretary?—The Home Secretary did not go into any of our points. He said that as a large district was assigned by Parliament to the Company to be lighted by them and an increased sized main was required he felt bound to give them permission to lay it down.

4981. Mr. *Tite.*] Is this report which you have produced sent to anybody who desires to have it?—Anyone can have it by paying 2 *d.*

4982. Do you demand the 2 *d.*?—We give a number away to persons holding official positions in the parish, but to prevent their being idly asked for we charge 2 *d.* to the public.

4983. What does the report contain; a record of all that has happened during the year?—Everything.

4984. Mr. *Knatchbull-Hugessen.*] As well as the divisions?—Yes, and interviews with the Government are reported at length by a shorthand writer and so on.

4985. Mr. *Tite.*] Have you received many complaints from the inhabitants of the state of the roads

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roads and other matters in your parish?—A vast number.

4986. What do you do with those complaints?—They are all sorted, and distributed to the various officers to whom they refer, who attend to them, and make reports upon them.

4987. Do you carry on your business through committees?—Yes.

4988. How many committees have you?—We have two standing committees; the Works Committee and the Finance Committee; and there are seven or eight special committees, and, I dare say, 10 sub-committees.

4989. At what hour do they meet?—The vestry meet at 3 o'clock in the afternoon, every fortnight; but as certain things require to be done within seven days, there is a meeting every alternate Tuesday to do formal acts with regard to drainage. The Committee of Works meets every alternate Tuesday at 3. The Finance Committee meets on the last Friday in every month, and we generally take advantage of the regular committee meetings to summon the pressing committees on miscellaneous business. We have generally two days in the week for meetings.

4990. *Chairman.*] Is the house drainage complete?—Every house is drained into the sewer, I believe.

4991. Is every house supplied with water?—We are constantly having to supply pipes that are destroyed in very poor houses. That is a point that always requires great attention.

4992. Do you take any means to enforce the Act with regard to the adulteration of food?—We have appointed a food analyst.

4993. Is anything done under that Act?—I do not think he has had a single application; the office is a complete sinecure.

4994. Do you do anything with regard to cow-houses and pigstyes?—The cow-houses are all visited, and we are in continual warfare to the knife with the pigs.

4995. Mr. *Tite.*] On the whole, do you think that looking at the comparative novelty of the proceeding, the present system works fairly well?—I believe the parish of Chelsea are well satisfied with the working of everything connected with the Metropolis Local Management Act and the Metropolitan Board.

4996. *Chairman.*] Is there much fever in any of the districts?—Very little. We have been very fortunate with regard to the cattle disease. Great attention has been paid to that.

4997. Sir *William Gallwey.*] Have the parish of Chelsea appointed a paid examiner of gas?—They have.

4998. Are you aware that very few parishes have taken advantage of the Act of 1860 to do so?—I have understood so.

4999. You say that you object to gas mains as being dangerous; will you explain what danger you apprehend from an iron main charged with gas passing underground in your streets?—Whether there is any real danger or not, I am not prepared to say, but the inhabitants are very much alarmed at it.

5000. You do not state that there is any danger arising from the gas mains passing through the parish?—I do not.

5001. You must be aware, that if gas works are placed at a distance from the town and at the extremity of their district, they must have larger works and larger mains than gas works placed in the centre of a district which supply both sides with smaller mains?—In the case of the Imperial, their works are at the extreme west end of Chelsea, which is almost a suburb.

5002. They supply only one way?—Through London to the north.

5003. If they were placed in any central position, so that they supplied from different sides, they would not have to carry so much gas through so few mains?—I should conceive that if the gas works were placed outside the town, they would supply the nearest part of the town to the works.

5004. But gas works conveying gas one way through one main, must necessarily convey much more gas through that main than they would through several mains, supposing them to be placed in a central position?—No doubt, if all the gas went through one main.

5005. There will be more danger in reference to mains coming from gas works, conveying gas from one side only?—That is our case with regard to the Imperial.

5006. And you object to that?—We object to large mains going through the parish.

5007. Would you object to the works being placed at a distance from London, in which case, they would have to convey all the gas one way, and necessarily require much larger mains?—I think the case would be different if they went through country roads; in our case, the mains go through a thickly populated parish.

5008. As soon as they entered the town, they would have to convey gas through large mains?—I suppose the mains would decrease after they reached the town.

5009. They would be very large in populous parts of the town?—Probably the district assigned to a company would be the nearest part of the town to their works.

Monday, 25th June 1866.

MEMBERS PRESENT:

Mr. Ayrton.
Mr. Kekewich.
Mr. Locke.
Lord John Manners.
Mr. Mill.
Sir Matthew White Ridley.
Mr. Tite.

ACTON SMEE AYRTON, Esq., IN THE CHAIR.

Mr. DANIEL BIRT, called in; and Examined.

5010. *Chairman.*] ARE you vestry clerk of St. George-the-Martyr, Southwark?—I am.

5011. What is the extent of the Southwark parish subject to the jurisdiction of the vestry?—The number of inhabitants is about 60,000.

5012. Do you know the area?—I do not.

5013. How many members are there in the vestry?—The parish is divided into three wards. Ward No. 1 sends 18 vestrymen; and numbers 2 and 3 send each 15; making together 48.

5014. What steps are taken for the purpose of carrying on the election and making it public?—The forms prescribed by the Act of Parliament are duly published; and besides being published as prescribed by the Act upon all the churches and chapels in the parish, we print 500 notices for each ward, which are circulated among the inhabitants distinctly from the general notices.

5015. Does the publication of the notice excite much interest?—Of late years it has not excited much interest. It excited considerable interest at first.

5016. Do the ratepayers generally attend the meeting for the purposes of election?—Sometimes they do and sometimes they do not. For the last two or three years they have not attended much. The reason assigned for that is, that there is greater satisfaction in the parish with regard to the mode in which the business is conducted than there used to be; and the agitation which was formerly very prevalent in the parish has subsided on that ground.

5017. How many persons generally attend the meetings for the election?—I have known as few as a dozen; but sometimes when there is a poll demanded perhaps two or three hundred may vote.

5018. When was a poll last demanded?—I think the year before last, or the year immediately preceding that. It certainly is not longer ago than that.

5019. Are candidates put in nomination at the meetings?—They are put in nomination.

5020. Does any discussion take place?—A little; that is, the person nominating claims a right to make a speech. There is not much speaking beyond that of the nomination; but, inasmuch as there are always six or seven persons to be proposed, that of itself affords sufficient opportunity for as much speechmaking as is thought desirable.

5021. Are the names of the candidates generally arranged beforehand?—Usually they are. Some of the parishioners generally arrange a list which they bring with them. If two lists are prepared there is of course sometimes a little excitement, and in that case a poll is occasionally demanded.

5022. Can you state the general position of the members elected?—I have a list of the present vestry with me; I should say that they are generally tradesmen; a few of them are gentlemen out of business.

5023. How many tradesmen are there, and how many persons of independent means?—In the present vestry there is perhaps only one gentleman of independent means.

5024. Are all the rest retail tradesmen?—No; we have had gentlemen belonging to the legal and the medical professions.

5025. At present?—At the present moment we have three medical men, but I do not think we have any legal gentlemen.

5026. The rest are retail tradesmen?—Yes.

5027. What is the occupation generally of the inhabitants of your parish?—They are chiefly tradesmen and working people.

5028. What is the position of those tradesmen; are they persons in a large or in a small way of business?—A great many of the inhabitants are merely work people. We have a large proportion of farmed ratepayers, as they are called, who are not in the class of tradesmen.

5029. Has there been any desire expressed on the part of persons of independent means to be on the vestry?—I do not know that there has. I think there would be no difficulty in any gentlemen getting admission to the vestry who wished to be upon it.

5030. If any one expressed the desire, you think that he would be elected without much difficulty?—I think so; his respectability would be a good passport into the vestry of St. George's at the present time, because the agitation which used to be conducted in the parish has subsided.

5031. Was the effect of that agitation to disincline persons of independent means to serve on the vestry?—Certainly it was.

5032. In what way?—They did not choose to go through the turmoil of a contest under the circumstances under which the contest must of necessity take place.

5033. Mr. *Tite.*] Was there any expense attending it?—Not necessarily; but there used to be expenses incurred in regard to the elections.

5034. *Chairman.*] During the contest, was there any desire manifested to put forward persons of independent means to serve on the vestry,

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or by what class of persons was the contest carried on?—Do you allude to what has transpired since 1856, or before?

5035. Since 1856?—Since 1856 the agitation in the parish has gradually subsided; we have less contest and less of interest almost year by year, until this last year when we had no poll; I am not quite sure whether there was a poll the year before.

5036. But when the contests were carried on, was there any disposition to put forward persons of independent means, or was the election confined to any particular class of the community?—The contest was confined chiefly to that class of person who had under the former *régime* been in the habit of electing the officers of the parish at the open vestry; and it took some time to supersede the kind of feeling under which those elections used to be conducted. In the time of what we call the open vestries, when every man had a right to attend, the arrangements were generally made before-hand by a particular class in the parish, who used to attend the public-houses and to come to the vestry with a list, and behave rather obstreperously and noisily. The effect of that was to keep away the respectable portion of the inhabitants; but that is not the case now. The respectable portion of the inhabitants take as much part in the election as other people do; and the class of tradesmen that we have in the vestry at the present time is, on the whole, a respectable class.

5037. Does your vestry meet in the daytime, or in the evening?—At 6 o'clock in the evening.

5038. Do they discharge their duties by committees or as a whole board?—In both ways; the vestry is divided into three committees, each of which comprises one-third of the vestrymen in each ward, so that each ward is represented in the committee as it would be in the vestry.

5039. What are the committees?—There is the Roads Committee which is charged with all matters of paving and lighting, and generally with things above the surface of the ground; another is called the Sanitary and Sewers Committee, which has (subject, of course, to the approbation, from time to time, of the vestry) the administration of the Nuisances Removal Act, and of all matters relating to sewage. The other committee is called the General Purposes and Finance Committee, and perhaps the designation sufficiently indicates what the object of that committee is. They arrange all financial matters and take up other things that are not specifically referred to the other two committees.

5040. How often do the committees meet?—They all meet in the interval between the meetings of the vestry, in order that their respective reports may go before the vestry at its meeting held subsequently to the meetings of the committees.

5041. They meet once during each interval?—They meet once in the interval unless they have special meetings, which they frequently do, and they are arranged by themselves, not being summoned unless specially ordered; the other meetings take place as a matter of course.

5042. Have you many complaints from the inhabitants with reference to the paving and lighting?—Not with regard to the paving and lighting.

5043. Are the inhabitants generally satisfied with the manner in which that duty is performed?—I think they are; we get a great many complaints left at the vestry, but they are chiefly with regard to the removal of dust, and the existence of nuisances, so that the vestry might be able to remove them; these complaints are entered into a book in order that they may be brought individually under the notice of the proper officers of the committee concerned.

5044. Does the Sanitary Committee find any difficulty in carrying out its duties?—I will, first of all, give you the *modus operandi* of the Sanitary Committee: all complaints that are made to the vestry, as well as all nuisances that are returned by any of the sanitary officers, are entered in the Nuisance Register, according to the provisions of the Act of Parliament, and they are then arranged according to the clauses in the Act, of which these particular complaints may prove these things to be an infraction, and being so brought before the committee, the committee pass orders in relation to them. I hold in my hand at present, what is substantially a report of the Sanitary Committee to the vestry which was held on the 14th of June. It was first recommended by the committee, "That if the official notices which have been ordered by the committee to be served on the owners of the following premises be not attended to, summonses be ordered to be issued," and then follows the list of places in the parish, opposite which is a number referring to the Nuisance Register, so that in the Nuisance Register every particular with regard to the nuisances may be readily ascertained. Then follow 115 cases which have to be dealt with within the ensuing fortnight, and which had been partly dealt with in the preceding fortnight by the issuing of these official notices. The next recommendation of the committee is, "That notices under the 81st section of the Metropolis Management Act of 1855, be served severally on the owners of the following premises, requiring them within 14 days after service, to provide a sufficient ash-pit or dust-bin, furnished with proper doors and coverings, and in case such notices be not complied with, that proceedings be taken for enforcing the penalties under the 64th section of the Metropolis Local Management Act. Then follow 49 cases which had been reported, as being small houses without dust-bins, and for which the provision of dust-bins was ordered. The next recommendation of the Sanitary Committee was this, "That notices under the 1st clause of the 67th section of the Metropolis Management Amendment Act of 1862, be served on the owners of the following houses, requiring them within 14 days after service, to obtain a proper supply of water, and to do all such works as may be necessary for that purpose." There were 14 cases of houses which were not supplied with water at all. The next recommendation of the Sanitary Committee was, "That notices under the 2nd clause of the same section of the Metropolis Management Amendment Act of 1862, be served on the occupiers of the following houses requiring them within 14 days after service, to obtain a further supply of water which shall not be less than 10 gallons per day for each person." Then follow 30 cases, where there was some supply of water, which was held, however, to be altogether inadequate. The last recommendation of the Sanitary Committee in that case was, "That notices under the 81st section of the Metropolis Local Management Act of 1855, be served on the several owners of the following

following premises, requiring them, within 14 days after service, to provide sufficient water-closets, furnished with a suitable water supply and water supply apparatus, and with suitable trap, pan, and other suitable works and arrangements, as far as may be necessary to ensure the efficient operation thereof; and that in case either of such notices be not complied with, proceedings be taken for enforcing penalties under the 64th section of the Metropolis Local Management Act of 1862." Then follow nine cases where water-closets were required.

5045. Are we to understand that that is a fair representation of the kind of work that is done by the Nuisance Committee?—It is a fair representation of the kind and the amount of work that is doing by the Nuisances Committee at the present time. I am bound to say that that is more than was doing some time ago; but I suppose that that is accounted for by the feeling that exists with regard to the probable advent of cholera. The vestry has appointed a third sanitary inspector, and I should like to inform the Committee of the steps which are in operation to make a complete examination of the whole parish, in order to see what is required everywhere.

5046. Are these measures that you have referred to, measures that have been recently sanctioned?—They were reported to the vestry on the 14th of June.

5047. Do we understand that there has been recently more diligence exhibited by the vestry, or that this has been the course of operations for some years past?—This has been the course of operations for about five months. Previously the process was somewhat the same, but the number of cases was less, because we had one inspector less; not having so many men to do the work, so much had not been done.

5048. When did the vestry begin to take more active measures to repress the nuisances?—They began to take more active measures in consequence of the apprehension that prevailed that cholera might reach the country.

5049. They then appointed an additional inspector?—Yes.

5050. How many have they now?—Three.

5051. Are they persons of education, medical men, or what?—They are not medical men, but they are persons of competent education. One of the inspectors is the surveyor of roads, who is made an inspector in order to have a status in the police court in any case that may be within his knowledge, and with respect to which he ought to be a witness. The surveyor of sewers is also an inspector of nuisances. The inspector last appointed is nothing but an inspector of nuisances; he is an intelligent man, and was in the police force at Torquay.

5052. Have you a medical officer of health?—We have.

5053. Do these inspectors take their instructions from him?—The inspector communicates with him every morning, and when any nuisance exists which he thinks the medical officer of health ought himself to inspect, in order to give evidence as to whether it is a nuisance injurious to health or not, they go together to the site of the nuisance, and in almost all cases that we have to prosecute in the police court, the medical officer is necessarily a witness.

5054. As a rule, have the reports of the inspectors and the medical officer been carried out by the vestry, or is there any indisposition to incur trouble and expense in carrying them into effect?—There is no indisposition on the part of the vestry to carry out the proposals generally of all the officers. I may mention, with regard to all these cases that were referred to as reported on the 14th of June, there was no opposition made to the issuing of any one of the notices on behalf of anybody.

5055. Are we to understand that all the reports entered in the register are properly brought before the committee and acted upon?—Yes; they are not detailed to the vestry so specifically and particularly as they are to the committee; the committee investigates, more or less, each case, before the recommendation is made to the committee with regard to it.

5056. There are a great number of small narrow streets, courts, and alleys in your parish?—There are, a very great number.

5057. Are many of them in a state injurious to health?—The vestry has been, during the last five months, endeavouring to ascertain and record the exact condition of every house in those streets, and the book which I hold in my hand has been prepared for that express purpose. The new inspector is furnished with a sufficient number of these books, with one of which he starts every morning to investigate as many houses as he can, and to record precisely what he finds. On the left hand page there is the description of the premises, and the size of the rooms in the basement, including their height, length, and breadth; there is a space for the same information with regard to the ground floor, and the first and second floors, if there be such, but in most of these houses there is no second floor. There is also a space for the size of the yard, and a statement whether the place is ill-paved or not paved, the pen being dashed through the words not required for the description; whether the water is laid on, whether there is a water-closet, whether it is panned, whether it is trapped, whether it goes into the drain, or whether there is a cesspool below it, and for how many houses the water-closet may happen to serve; because, in many cases, I am sorry to say, there are more houses than water-closets. Then, as to drainage, there is a statement whether it is trapped, or whether it discharges into the sewer; and, as to the dust-bins, whether there is any, and whether, if there be one, it is sufficient. Then, with regard to ventilation, and for any remarks that the inspector may see fit to make. On the right hand side there is a record made of the number of the inhabitants at the time of the inspection, and that very particularly as to each room; the number of men, women, and children in each room, on each floor, and the number of families of which the inhabitants consist.

5058. You are thus getting an accurate register of all the smaller houses occupied by more than one family?—All the houses that are farmed; we do not know, until we visit them whether they are occupied by more than one family; but all the houses that are farmed are now being regularly investigated, and a record is made and retained of the condition in which they are found. These books are numbered from 1 upwards, and are intended to be kept, so that, in any subsequent inquiry, we may be able to refer, by the Nuisance Register, to what alterations may have taken place in the house or neighbourhood since the investigation was made.

5059. Are

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5059. Are there not many small tenements not farmed, but generally occupied?—Very few; in any cases where the rent is paid weekly, or monthly, or, I should rather say, in the terms of the Act of Parliament, at a less period than three months, the officers farm the property to the landlord in order to make the landlord responsible for the rates, because the tenants are so often going in and out that, if we were to attempt to get the rates from them, we should certainly fail, and get nothing, or next to nothing.

5060. What is the result of that investigation; do you find that a great many houses are very much over-crowded or in a bad state?—A great many require repair, some more and some less, according to the landlord in whose hands they happen to be.

5061. Are many of them built so close together and under such conditions as to be unfit for habitation?—They are.

5062. Would there be any remedy for those houses but to pull them down?—There would be no remedy nearly so efficient as entirely to pull them down, and build something in their place.

5063. Are they such as that if they were only inhabited by one family they would be injurious to life?—I think many of the courts are such as that they would be injurious to life, however inhabited, on account of the construction of the courts, and the buildings which are in them. For instance, many of the courts are not thoroughfares, and they are so narrow that there is very little space between the front windows. Sometimes they are built back against a warehouse or in some place where they have no light and air. There is scarcely any other remedy for them than pulling the whole neighbourhood down and reconstructing it.

5064. Do you find many houses insufficiently provided with sewage, drainage arrangements, and water?—Not now. We have been for some time past obliging all persons to fill up their cesspools and connect their houses with the sewers. That has been so long in operation that we now very seldom meet with a cesspool.

5065. The house drainage is nearly complete?—I think so. As far as we know, it is completed, but it needs repair from time to time; but it is not in every case done properly. When we find it improperly done, of course we have to take proceedings to compel the parties to improve the drainage; but, generally speaking, there are now no cesspools that are known. Of course, in our investigations, we occasionally find some, and peremptory orders have been given to fill them up, and water-closets have been erected instead of them.

5066. Are proper arrangements made for removing dust and dirt?—We are making the best arrangements we can, but in some of these cases there really is not room in the yard for a dustbin; some of the houses have no yards, and it is of little use to have a dustbin in the house, because it only increases the amount of nuisance and filth.

5067. In these cases, what do the inhabitants do?—They throw the dirt into the street, and our scavengers are obliged to take it away; we get it done as rapidly as we can.

5068. Is there a sufficient supply of water to the parish?—The vestry think it insufficient, for two reasons: first, because there is no supply on Sundays in a large portion of the parish; and, secondly, because the supply is nowhere constant.

5069. Mr. *Tite.*] What company supplies you?—We are supplied by two companies, the Lambeth and the Southwark and Vauxhall.

5070. *Chairman.*] Where do those companies get the water from?—They both get their water a long way up the river; I think at Thames Ditton.

5071. Do you mean that they have not a sufficient supply of water brought to London, or that the supply they give to the houses is insufficient?—The vestry thinks that the supply required by themselves, and indeed by all the rest of the metropolis should be a constant supply; of course that amounts to an alteration of the entire system.

5072. By a constant supply, do you mean a supply without cisterns?—Yes, a supply without cisterns.

5073. Are they desirous of incurring the expense necessary for changing the system of supply?—I do not know what may be the view of the inhabitants with regard to the expense which each individual might be put to by such an alteration; but the vestry is of opinion that the water companies should be obliged to give a constant supply, so that those who choose to go to the expense of having it may be in a position to do so.

5074. The system must be one way or the other, must it not?—Not universally so; because, although I may have the power of drawing from a tap all the day long, if I choose to have a cistern instead, and have it filled at one portion of the day, I can have that done. It would not necessitate a re-arrangement of every household, even if the water companies contributed water throughout the whole course of the 24 hours.

5075. You mean that without reference to domestic arrangements, water should constantly flow into the cisterns?—It should flow wherever it was required when it was wanted.

5076. Do you know whether that would increase the water-rate?—I had to read to the vestry at its last meeting a communication from a district board, who had put themselves in communication with two places in the country where it was stated that this system acted admirably; that there was no failure whatever, and that they would be sorry to revert to the old system of a mere temporary supply.

5077. Have you made any complaint of an inefficient supply under the Act?—No, we have not.

5078. Why not?—Because we know very well that in the existing state of the law we cannot compel the companies to give a constant supply.

5079. Why not; what is there in the Act to show that you cannot oblige them to turn on water when it is wanted; is not the Act precisely the other way?—Perhaps I ought not to have spoken so readily. I am not so well acquainted with the Water Act as perhaps I ought to be; but the impression is that as everybody has failed to induce water companies to do it, they cannot be compelled.

5080. Do you say that there would be no increased expense?—There would not be necessarily increase of expense; but the supply of water, no doubt, is not so inadequate anywhere in the parish as amongst the poor. The rich have cisterns

cisterns large enough to meet their requirements; but it is difficult to get the landlords to put up such cisterns as would enable the very crowded neighbourhoods to get anything like a similarly adequate supply.

5081. If it would not be inconvenient otherwise, why have you not made any application under the Act for an investigation into the sufficiency of the supply to your parish?—The impression existing in the parish, and certainly the impression on my own mind is, that supposing the water companies are able to show that their water is turned on for a sufficient time during the day to enable the inhabitants, if they have sufficient receptacles, to store a sufficient quantity of water, they have done the duty that is imposed upon them by law.

5082. I understand you to say that there is no water turned on on Sunday, and that there is not a sufficient quantity supplied for the wants of the inhabitants. Why have not complaints been made of that under the Act?—I am afraid I have not made myself understood as to what is the nature of the insufficiency of the supply. There is no insufficiency of supply amongst the respectable portion of the parishioners, except that they cannot have water on Sunday, and if their cisterns get emptied by Saturday night or Sunday morning, they are necessarily without water until Monday.

5083. Is not that exactly one of the questions that would have to be investigated under the Metropolis Water Supply Act. Perhaps your vestry has never considered the Act and the remedies given to obtain redress?—Perhaps not sufficiently; what they have been doing has been to endeavour to oblige the landlord to put in every small house a sufficient receptacle for the water, but they feel with regard to the class of inhabitants with which they are dealing it would be a very much better thing if they had the water without the necessity of storing it constantly.

5084. Mr. *Tite.*] Coming into the house or into the premises?—So that the people could draw water when they wished.

5085. *Chairman.*] So as to have no cisterns?—Yes.

5086. The vestry have never taken any steps under the Act to compel the water companies to do anything more than they are doing at present?—No.

5087. Mr. *Tite.*] You have not appealed to them?—We had occasion to write to one of the water companies some time ago; it had cut off the supply of a person who owns several houses in the parish on the ground that he had not proper ball cocks to prevent waste. We directed him to put his pipes and his taps in proper order. The company then found some fault which we thought trivial; and we wrote to the company expostulating with them for keeping the inhabitants of these particular houses so long without water; and upon the expostulation of the vestry, I am bound to say, the water was immediately laid on.

5088. *Chairman.*] Do you think that the Metropolitan Board should have any general supervision over the water companies to insure a proper supply of water to the inhabitants?—I have not thought of the question as to where the jurisdiction should lie, but I think that some authority over the companies is needed somewhere.

5089. I understand you to say that there are two companies supplying your parish?—Yes.

5090. And I presume they supply other parishes as well?—Yes.

5091. So that there is no company having a supply conterminous with your jurisdiction?—Certainly not.

5092. Therefore it would be inconvenient to subject them to different, and it may be conflicting jurisdiction?—Yes; but if there should be some general legislation declaring what the duties of the water companies in respect of all the localities that they supply should be, that perhaps would remedy some of the evils that now exist.

5093. Still if the authorities watching over them were not conterminous with their own operations, would it not involve them in a certain amount of confusion; would it not be better to have one jurisdiction over the whole?—Inasmuch as any person who supposes that he has not the supply which the law authorised him to expect has a right to complain to some one, it would be the same even if the Legislature were to alter the duties which at present devolve upon the water companies. I do not know that anything further than an amendment of the law with regard to what companies have to do would be required.

5094. Have you experienced much resistance on the part of the landlords or occupants to the authority of the vestry in carrying out the sanitary matters of which you have spoken?—Never from the occupants; they are almost always very willing to receive the inspector; indeed, you may say that where complaints are lodged, they are generally made by the occupiers who want their landlords to do something. We are obliged to be very careful with regard to complaints that are made, because sometimes we have complaints simply with regard to what the landlords might think to be decorations; and, of course, we never interfere with anything of that sort, but simply with that which is injurious to health, and which can be fairly shown to be such.

5095. Do you find the landlords obstructing or showing any disposition to carry out the directions of the law?—I should be sorry to say that of the landlords, as a whole; there is a very great difference amongst them. Some of the landlords are ready to do what is reasonably required, while others give a great deal of trouble, and decline to do anything until they are compelled.

5096. Are those landlords numerous who are unwilling to give effect to the directions of the vestry?—They are not numerous; they are less numerous now that they find that the vestry can compel them, if they are obstinate.

5097. Have you been compelled to do works yourself, in consequence of their persistent refusal?—We generally avoid doing the works ourselves. We go to the magistrates and get an order from them that certain works shall be done. If the order is disobeyed, we go for the penalties consequent upon disobedience.

5098. You have not undertaken work yourselves, and run the risk of getting the money from the landlords?—We did in our early career, but we almost invariably lost the money; we could not recover anything from the landlords; the property had changed hands, and other things were done to frustrate the vestry. We could not always show a legal title to recover the

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money, and so we failed. We thought that that was a bad use to make of the public funds.

5099. Do you find that the magistrates are ready to give effect to your wishes?—Not always; we sometimes find great difficulty.

5100. What has been the difficulty?—Sometimes it has appeared to us that there has been a disinclination on the part of the magistrates to assist the vestry; but we have often felt that, after all, the police court was an improper court of judicature for such matters. We have to go amongst pickpockets and thieves, and have often to wait for an hour or two while cases of that kind are disposed of. I think that a great advantage would arise from a change of the law with regard to the jurisdiction in this respect.

5101. You find that the other avocations of the magistrate rather interfere with their jurisdiction in this respect?—We think so.

5102. Have you observed any tendency on the part of the occupants to repeat the nuisances as soon as they are remedied?—Yes, we do sometimes; the drains and water-closets get stopped; we direct the landlord to have them opened and repaired, and it is done; but in many cases the complaint recurs in the course of a few weeks through the obvious carelessness, if not worse, of the occupants themselves.

5103. To that extent there is an indisposition on the part of the occupants to co-operate with the vestry in preserving the houses in a proper condition?—They co-operate to this extent: as soon as the nuisance is stopped and occurs again they complain to the vestry, and require them to go through the same process.

5104. But those are the people who create the nuisances?—They create them by carelessness or want of forethought, but as soon as that is done they are willing enough to apply to the vestry again to get them out of their difficulty.

5105. Is no step taken against the occupants who are so misconducting themselves, or are they left to complain and create nuisances, and then complain again, and so put expenses upon other people?—We cannot proceed against them criminally, and if we wanted to inflict a fine for a drain being stopped we must show when it was done, how it was done, and who did it; and those are things that we should find it almost impossible to prove legally.

5106. Is there no remedy for the state of things you have described?—The only remedy, I fear, is in the elevation, some day or other, of the persons who are so negligent of what affects their own interests.

5107. Do these people come from the country, or are they regular inhabitants of London; to what class do they belong?—I do not know how better to describe them than as the very lowest class, some of them possibly connected with the criminal class; they are the lowest and most ignorant people; I may mention that one difficulty we have at the police courts arises from the frequent adjournments.

5108. Have you found cases in which fever prevails in consequence of the crowding of the inhabitants?—We have had a great deal of fever in the parish during the past years while fever has been prevalent throughout the metropolis.

5109. Have you made any efforts to repress it in these districts?—Yes, we have made great efforts to repress it by amending the condition of the houses, but we have not been able to do much by the removal of the inhabitants because we have really nowhere to move them to, and it seems great cruelty to turn people out of a house when the chances are that they will not be able to find other places to live in.

5110. Mr. *Tite.*] Could they not go to the workhouse?—No, the workhouse is full.

5111. You could build a bigger one?—They do not like to go to the workhouse, and we cannot compel them to go; if we sent all such cases to the workhouse to do away with the overcrowding of the parish, it would have to contain some thousands instead of some hundreds of persons.

5112. *Chairman.*] You have only power to turn the people out, and not to take them anywhere else?—We have no power to take them anywhere else, nor have we anywhere else to take them to.

5113. Is that the reason why you have not exercised your power of turning them out of the houses where fever prevails?—We have not the power of turning them out; it is the magistrate who must make the order.

5114. I mean, is that the reason why you have not taken the requisite steps to turn them out of these houses?—That is the reason why we have not frequently taken steps to turn the people out. In one or two very bad cases, we have gone before the magistrate, and obtained an order for closing the houses, but we have been obliged to be extremely careful with regard to that, because we might cause mischief by turning people into the streets, who would have to suffer from the inclemency of the weather and other evils connected with having no home.

5115. Have you any remedy to suggest for the state of things which you have described with reference to these fever houses, and the tendency on the part of the inhabitants to repeat the nuisances as soon as they have been removed?—The vestry has under its consideration the Bill which was introduced into the House of Commons, and I believe referred to a Select Committee for improving the dwellings of artisans and labourers, and they quite sympathise with the object of that Bill.

5116. You look to some measure of that sort as the only cure for that state of things?—Before anything can be done beyond emptying the houses in one or two extreme cases, there must be better dwellings provided for those who should be turned out.

5117–18. Then it will be necessary to build houses first, and pull the others down afterwards; but the present Bill proposes to pull down the houses first, and not necessarily provide others; how do you propose to deal with that matter?—If it were a small neighbourhood, involving the pulling down of half-a-dozen or 10 houses, it might be possible to make a temporary arrangement for the inhabitants while the other houses were building, but certainly you could not pull down all the bad districts in the metropolis, with a view of afterwards building other places in their stead. There would be the difficulty in practice, which seems to be suggested by that mode of putting the question, because it would depend upon the rapidity and the extent to which the scheme was attempted to be carried out. If you pull down a thousand houses (and there are as many as that that want to come down) you must build others before you pull them

them down, but if you pull down 10 at a time, that would be different.

5119. You think that any process of pulling down houses and erecting others, would have to be carried on slowly, so as not to make any perceptible disturbance of the inhabitants?—Unless there could be previously provision made for those who should be turned out by the destruction of their dwellings.

5120. Are there any other matters on which you have any suggestions to offer with reference to the jurisdiction of your Board in sanitary matters?—Our experience leads us to think that it would be a great advantage if many of the things, about which we have to apply to the magistrates when landlords or occupiers are obstinate, were under the jurisdiction of the vestry. We think it would be very much better than being obliged to go through the process of taking proceedings in the police court. Sometimes it is a very small matter that has to be attended to, and yet it needs attention. I may give an instance that occurred last week: the pan of a cesspool got broken, and half the contents thrown into it went down the drain, and the other half outside, creating a great nuisance in the house. The landlord would not do the thing, although he was ordered, and we were obliged to go to the magistrate to get an order for a new pan. Now, matters of that kind, in the opinion of the vestry, would be much better in their own hands, so that they might be able at once to make an order for discontinuing a nuisance of that character, or be at liberty to do the work themselves without any order of the magistrate; that they should have primary jurisdiction, I may be permitted to suggest, that with regard to any possible abuse of power on the part of the vestries, it might be avoided by giving the parties the power of appeal if they felt themselves aggrieved. We cannot, in the first instance, do a little thing of that kind without an order from the magistrate.

5121. Would you have the summary power of the vestries limited with regard to the amount of expense?—There might be a limit of that kind, but I apprehend very little mischief would arise if in every case the person upon whom the order was served had a right to appeal.

5122. You would have the law framed so that the vestry could make an absolute order, which they could themselves act upon, unless within a limited time the person against whom the order was made presented an appeal to a magistrate or to some other authority?—Yes, or gave notice of appeal, and, as in other cases, gave recognizances to prosecute the appeal.

5123. In that case, if the vestry failed, the expense would fall upon the ratepayers?—Yes.

5124. Have you any other suggestions to make upon that point?—With regard to the decisions of the magistrates, we find that there is a very great want of uniformity in them, and the only appeal from them is an exceedingly expensive and troublesome one; you can see the effect that it must have on the proceedings of the vestry, when two or three of the officers out of a small staff have to attend from day to day in court to give evidence. They are abstracted from the proper business of their office, and become simply witnesses in relation to one individual case. The appeal is either to the superior courts at Westminster, or to the quarter sessions, and in each case it is very troublesome and expensive. There is no doubt that many of the landlords rely on the difficulty there is in compelling them to do what is requisite, and that they are more obstinate than they would be if there was a summary process by which the matter could be effected.

5125. How could you deal with that; would you deprive the parties of the right of appeal, or substitute some other original jurisdiction?—I think for the metropolis, as a whole, there ought to be some magistrates (if the magistrates are still to have the jurisdiction) set apart for this express business. It has suggested itself to my mind, that if there were three magistrates who would sit sometimes in one district, and sometimes in another, to adjudicate upon these matters, the three constituting a Court of Appeal from any one of them, we should obtain a uniformity of decision and more celerity in getting that decision.

5126. You are aware that the general jurisdiction of the justices in municipal matters is not exercised by the stipendiary magistrates, but by the justices of the peace, in district sessions in the metropolis?—I am not aware of that.

5127. I mean with regard to the licensing of public-houses, slaughter-houses, and other matters of that kind?—With regard to the licensing of public-houses, cow-houses, and slaughter-houses, that is so, but with regard to the carrying out of the Nuisances Removal Act in the metropolis it is not so.

5128. Do you think it would be desirable to assimilate the two jurisdictions, that is, to transfer the sanitary matters to justices in petty district sessions?—I apprehend they would have to meet a great deal oftener than they do at present, otherwise there would be a great delay in getting the necessary orders.

5129. Do you think that the justices of the peace might exercise jurisdiction in sanitary matters more conveniently than the stipendiary magistrates?—I think they would form a preferable court.

5130. You think, meeting together as they do in general sections, they would arrive at a more uniform practice?—I should think so.

5131. In that case, would you expect them to meet frequently to dispose of the matters in a summary manner?—Yes. At the same time, with regard to the execution of the Nuisances Removal Act, I am still of opinion that the orders of the vestry, unless appealed against, should operate at once as such.

5132. Have you anything further to say on that point?—You have referred to the emptying of houses, under the existing laws, which happen to be overcrowded. I may mention to the Committee that this transpired in my presence not long ago. The clerk of a district very near St. George-the-Martyr, Southwark, had obtained an order from the magistrate sitting at the police court for the emptying of a house, but the people would not go out. He then appealed to the magistrate to direct the police to turn them out, and the magistrate said, "I have exercised my jurisdiction. I have made an order, and can do nothing more."

5133. Should you not have applied to the Chief Commissioners of Police to execute the order; it is not the business of the magistrate to execute the order?—No, but to give directions for executing the order; but he declined to direct the police to do anything.

5134. Is it not the business of the police, when the

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the order is given, to carry it out?—The order was not made upon the police.

5135. To whom was it addressed?—The clause in the Act of Parliament states, "Whenever the medical officer of health, if there be one, or, if none, whenever two qualified medical practitioners shall certify to the local authority that any house is so overcrowded as to be dangerous or prejudicial to the health of the inhabitants, and the inhabitants shall consist of more than one family, the local authority shall cause proceedings to be taken before the justices to abate such overcrowding, and the justices shall thereupon make such order as they may think fit, and the person permitting such overcrowding shall forfeit a sum not exceeding 40 *s.*"

5136. Then it would seem by the clause itself that it is not to be enforced by main force, but by penalties?—Penalties upon the person permitting the overcrowding; but it would be difficult to find out to whom that was to apply as amongst the inhabitants.

5137. That would not be a neglect of duty on the part of the magistrates, but a defect in the Act?—I am not alleging it as such; but I am alleging it as one of the difficulties of carrying out this process of emptying houses.

5138. You think that the order might be carried out by force, that is by being directed to a constable to carry it into effect, and not by penalties?—Which penalties are only applicable to the person permitting such overcrowding, not to the persons who perpetrate the overcrowding by actually inhabiting the house.

5139. Would it not be necessary if the overcrowding is to be actually repressed, that the Act should be framed differently, and that the warrant should be issued to the police officer forthwith to abate the nuisance?—Certainly; that is, there should be something more than the making of the order; there should be some power to enforce it when it is made.

5140. The police should be forthwith directed to close the house?—Yes.

5141. You think that nothing less than that would be sufficient to ensure the execution of the order?—I think not; these people are very poor, and if you inflicted a fine of 40 *s.*, and distrained for it, you would not get 40 farthings.

5142. You would merely remove them to prison?—That is all.

5143. Lord *John Manners.*] What happened afterwards in the case to which you have referred?—I merely saw the clerk of the district board of works, who was very much chagrined at the notion of having an order which was of no use.

5144. Nothing whatever was done?—Not on that day; and I have heard nothing further about it.

5145. *Chairman.*] Are there any other suggestions which you wish to make?—Not upon that point; I do not know whether you wish to be informed as to the *modus operandi* of the vestry, with regard to estimates and orders for works that require to be done in the parish, such as paving and sewage.

5146. Are the functions of the board with reference to paving, and other works, carried out publicly or privately?—All the meetings of the vestry are public.

5147. Are the committees public?—The meetings of the committees are private.

5148. Have the inhabitants any means of knowing what steps are taken for the conduct of the works?—The agenda papers of the vestry are exposed, according to the statute, in front of the vestry hall, for three or four days before the meeting of the vestry, so that any one may acquaint himself with what is proposed to be done.

5149. Are all contracts made with the vestry, or with the committees?—The contracts are referred to the consideration of the committees. The vestry actually enters into them, and approves or disapproves of what the committee may recommend, as the case may be.

5150. Have the inhabitants the means of informing themselves upon the subject when they come before the vestry?—All the contracts are advertised.

5151. I mean with regard to what is done in accepting tenders?—The tenders are accepted at the vestry meetings, and those vestry meetings are public.

5152. Is it one of the effects of remitting matters to the committee that they become secret instead of being public?—They are not secret, because the minutes of every committee are accurately kept, and form part of the minutes of the vestry, which are accessible to any of the inhabitants.

5153. Mr. *Tite.*] Is it not the law with respect to the vestries as with the Metropolitan Board that the committees can do nothing whatever without the approbation of the whole board?—The committees have no right to do anything except as far as it meets the approval of the vestry. All that they can do is to submit recommendations to the vestry; sometimes the vestry makes an order that certain matters be referred to such a committee which is authorised to act as they may think fit. Those are cases of emergency that require to be dealt with at once.

5154. *Chairman.*] Do you think it would be desirable that the committee should have power to act?—We find that their existing powers work very well in our parish. I do not think that there would be any advantage in increasing the powers of the committees.

5155. You think it better that they should only inquire and report?—I think it is better as it is, and that there should not be a general power of dealing with things without reporting.

5156. Have you any suggestion to make with reference to the law regulating the proceedings of the vestry, as, for instance, in regard to the appointment of a permanent chairman?—We have felt no inconvenience in our parish from the inability to appoint a permanent chairman. The rector, of course, is the chairman of the vestry whenever he chooses to attend. The present rector generally attends once a year; on Easter Tuesday.

5157. Is that to assert his right?—Probably it is to maintain his right and assert it. Sometimes he has attended when there have been matters in which he has felt an interest, but that is very rarely the case.

5158. What arrangement do you make for the management of the affairs of the vestry with regard to superintendence by a chairman?—A chairman is appointed at each vestry meeting; but, practically, it is very much as if he were a permanent chairman; because, if the gentleman who was chairman at the last meeting attends punctually, he is almost invariably appointed the chairman of the next meeting. A convenience arises out of that arrangement, because, in order to

to get rid of the difficulty of always waiting for nine members to be present during the reading of the minutes, we have, by a sort of resolution of the vestry arranged, that for the reading of the minutes, the first three who attend shall be a committee, provided that the chairman of the last meeting be one of the three. The chairman generally comes, as a matter of convenience to his co-vestrymen, because it saves a quarter of an hour, or half an hour.

5159. You endeavour to remedy the defect in the law by an understanding amongst yourselves that some one shall be chairman?—Yes.

5160. He is not recognised as holding that position?—No, he is simply chairman for the evening. He requires to be elected afresh at every meeting.

5161. Do you know whether there is any feeling on the part of the board that it would be desirable to have some responsible head of the local government of the parish for the year?—I have not heard any expression of opinion upon that point.

5162. Is your board connected in any indirect way with the administration of the Poor Law?—No, we have a board of guardians in the parish.

5163. How are they elected?—They are elected by voting papers circulated through the parish.

5164. Under a general order of the Poor Law Board?—Yes.

5165. Have you any local Act in force in your parish?—Yes, but it does not operate in regard to the election of guardians, but chiefly in regard to the making of rates, the appointment of overseers, and a few internal matters of that kind.

5166. Can you explain the jurisdiction exercised under the Act?—It enables the overseers to compound for properties, and it declares the mode of appointing the overseers.

5167. What is that mode?—Two are appointed at Easter, and two at Michaelmas, by the justices in special session out of twice that number nominated to them by the vestry.

5168. Your vestry appoints the overseers?—They have succeeded to the functions of the open vestries, and they therefore nominate the overseers under the local Act.

5169. Under the local Act do the overseers assess the parish?—The board of overseers assess the parish; they consist of three churchwardens and four overseers.

5170. Are all those seven persons appointed by the vestry?—No; the rector appoints one of the churchwardens, the other six are appointed by the vestry.

5171. Do they superintend the collection of all rates?—Yes.

5172. The vestry may issue warrants or notices to them to levy any amount required?—Every half-year the vestry issues an order to them to levy the amount required for the general rate, the sewers rate, and the metropolitan main drainage rate.

5173. Are the churchwardens and overseers selected from amongst the vestry themselves?—Not always.

5174. To some extent?—Sometimes. At the present time there are one or two overseers who are members of the vestry, and the others are not; there is no rule of that kind.

5175. Then the guardians themselves have nothing to do with the assessment of the rate, or the collection of it?—No; they issue an order also to the overseers in the same way as the vestry, to raise the poor rate.

5176. Do you think it desirable to preserve this separate board under the local Act; might not the work be done by a committee of your board just as well?—I apprehend that the guardians would want a committee of their own board. If the machinery for raising the rates was done away with, of course another machinery would have to be instituted; the vestry might certainly raise its own rates, and the guardians might raise theirs; but I do not know that we find it an inconvenient thing at all for the overseers appointed by the vestry to assess the parish.

5177. Do you see any necessity for having three boards to manage the affairs of the parish instead of one board?—The business of the guardians could no doubt be done by a committee of the vestry; but in the present state of the law, possibly that would introduce some confusion, inasmuch as the Poor Law Board have considerable powers of control over the guardians with regard to business connected with the poor; but they have none with regard to business which the vestry now conducts; and it would not be thought advisable, I think, that they should have.

5178. They have no control over the internal arrangements of the boards of guardians, but only as regards the orders and the treatment of the poor?—They have control over them in many ways. In the first place, the guardians cannot dismiss an officer without the consent of the Poor Law Board, and they cannot appoint a person to a new office without the consent of that board.

5179. You have only one collection of rates in your parish, I presume?—The rates are all collected by the board of churchwardens and overseers, but we have different collectors for the vestry rates and poor rates; we have three poor-rate collectors.

5180. Do you collect twice over the parish?—There are three collectors, who collect the poor rate quarterly, and two collectors who collect the vestry rates half-yearly.

5181. You have a double set of collectors?—Yes.

5182. Does it not entail an unnecessary expense, as well as unnecessary inconvenience?—In one respect perhaps it does not, inasmuch as the two persons employed to collect the vestry rates were employed previously to the Metropolis Management Act coming into operation, and would have been entitled to pensions or compensation annuities at that time; but, inasmuch as they receive a salary which is greater than the compensation would have been, that compensation is not paid. Besides, I do not know that it makes any difference, because they are paid by poundage, and if the poor-rate collectors were employed, they would be paid at the same rate. I do not think that it costs the parish any more. Then there is this one convenience arising from it, that houses are sometimes returned as empty, and the rates said to be lost, but if there is a discrepancy between the report made by one collector and that made by another of the same house, it involves an inquiry and a check.

5183. Is not that rather an expensive mode of checking?—Not if you pay by poundage, because that would be the same if it was collected by one person.

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5184. Might it not be less if the duties were diminished?—I think not. The poundage for the collection of the poor rate is limited to 6 *d.* in the pound by the Local Act, and we give the same to the other collectors. I do not think it could be done for much less. Besides, if the rates were collected at one time, the collector could scarcely get them in some of the poorer portions of the parish.

5185. Have you considered the expediency of adding to the number of representatives on the Metropolitan Board for your parish?—The vestry has not had that under consideration.

5186. Mr. *Tite.*] Who represents you at the Metropolitan Board?—Mr. Edward Collinson.

5187. *Chairman.*] Do you think it would be convenient if the inhabitants had the right of electing members directly to the Metropolitan Board?—Under the circumstances at present existing with regard to the qualification of the members of the Metropolitan Board, I think it would be exceedingly undesirable that the parishioners should be enabled to elect; the qualification of a member of the Metropolitan Board is an exceedingly broad one; I believe, in the Reform Act of 1832, the elector and the elected must be "a male person of full age;" but a member of the Metropolitan Board of Works needs but one qualification, he must be "a person," not a male person necessarily, and not necessarily a person of full age.

5188. It may be anyone that the inhabitants choose to elect?—It may be any person the vestry elect.

5189. Do you think that having an unlimited discretion it is therefore to be assumed that they would exercise it in some extraordinary manner and not in a reasonable manner?—I think it would depend more upon the candidates themselves than upon the electors, because so few would interfere in the matter of the election unless they were instigated by such means as used to be employed for that purpose in the election of parish officers; for instance, there used to be meetings at public-houses at which it was arranged who should be proposed, and it was of no use for the wealthier and more orderly portion of the parish to attend the vestries under those circumstances, and endeavour to get in proper persons; I could tell pretty precisely, I think, who would have been elected to be the first member of the Metropolitan Board of Works if it had been an open election.

5190. Mr. *Mill.*] Do you think it would have been "a male person of full age"?—I think it would.

5191. *Chairman.*] Do we understand that you still think, there being no special qualification, the inhabitants could not be trusted with the power of election?—It would really be a haphazard sort of business, a mere chapter of accidents who would be elected under those circumstances; I do not think that the best portion of the parishioners qualified for so important a post as that certainly is would come forward as candidates.

5192. Why not?—Because they would not go through the turmoil of an election such as that; there is no such prestige attached to the office as is attached to the position of a Member of Parliament, and there is nothing that I know of that would induce persons of education and position to involve themselves in such a contest as that might be.

5193. What is the position of your present representative to the Metropolitan Board?—He is a tradesman in the borough of Southwark.

5194. In a large way of business?—Yes, in a tolerably large way of business; not very large.

5195. He was first elected a member of the vestry in a ward?—He was.

5196. Then having been so elected a member of the vestry, which is a less important office, why should you suppose he would not be elected to the more important office if he were qualified?—Because I think he would not have been a candidate.

5197. Your view is, there would be a difficulty in finding what may be called good candidates, or proper persons to be candidates?—I think there would.

5198. Mr. *Tite.*] Has your representative always been the same person?—No, Mr. Collinson happens to have been the first; but there was a gentleman, Mr. Edward Palmer, who was for three or four years a member of the Metropolitan Board of Works in the interval.

5199. *Chairman.*] I want you to explain why, if persons become candidates for the subordinate and inferior office of vestrymen, the same class of persons, at all events would not become candidates for the superior appointment or position of a member of the Metropolitan Board of Works?—There is really very little candidature with regard to the vestry itself. It frequently happens that persons are now elected members of the vestry who do not attend at the election themselves, nor put themselves forward for the purpose; that leaves it, to a certain extent, a hap-hazard business, and we have had vestrymen of very various positions in consequence.

5200. Is it your opinion, that the present Metropolitan Board of Works is of such small account, that no one of position in the parish would have any ambition to belong to it?—I do not think that the office is viewed as being one of small account, but it is viewed as being a position involving an immense amount of labour. I understand that our Member, who is himself always present at the committee of which he is a member, and at the board, and at occasional committees besides, spends nearly three working days in a week, in the business of the board. There are not many persons who could do that, unless they had some personal object of their own to serve.

5201. Then if the number of the board was increased of course, the labour of the members might be materially diminished?—I suppose so; though that, of course, is a matter which the members of the board would be much better fitted to give evidence upon than I can.

5202. You think that if the Metropolitan Board were more elevated in position, so that a connection with it became an object of ambition, candidates of more station would be induced to come forward?—In our parish, I do not think that candidates of more station would, under any circumstances, come forward, if it were an open election, conducted throughout the whole parish by the ratepayers.

5203. Has the expense of local administration increased or diminished since the passing of the Metropolis Local Management Act?—We are now passing through the press the Tenth Annual Report, which contains a decennial statement of the expenditure of the vestry during the 10 years of its existence.

5204. Has

5204. Has the expenditure increased or not?—It has slightly increased; not to any large extent. The first statement refers to a period of somewhat more than a year. The expenditure in the second year was 14,300 *l.*, and in the last year but one 16,800 *l.*

5205. Has your parish increased in the number of its inhabitants, or was it fully built upon when the Act passed?—It is completely built over, but we are more overcrowded than we were.

5206. Has the rating in the pound increased?—It has increased a little with regard to the general expenditure of the parish, because we do so much more paving than used to be done, and it has increased during the last year by the abolition of the New Cross Turnpike Trust, by which a comparatively large portion of the Old Kent Road has now to be repaired by the vestry out of the rates.

5207. Do you know whether the expense of the new vestry is much greater or less than the expense of local administration was before the Metropolis Management Act was passed?—I think it is much the same in our parish.

5208. Is there any other point which you wish to bring before the notice of the Committee?—With regard to the improvement of dwellings, which has been referred to already, whatever plan may be adopted by the Legislature, in my opinion, and in the opinion of the vestry, it should involve this: That the expenditure be thrown over the metropolis at large, and not over the particular locality in which the amendment might need to take place. Our own parish, as your report shows, is the most heavily taxed in the metropolis at the present time. It has, too, perhaps as large a proportionate quantity of poor people and poor dwellings as any. Therefore, if we were to attempt upon a large scale as a parish to pull down these houses, and rebuild better ones in their places, it would involve in the poorest locality the largest addition to their parochial expenditure.

5209. That is a jurisdiction which you would transfer to the Metropolitan Board of Works?—We think it would be necessary that the expense should be borne by the metropolis at large, and therefore we suppose it must be a metropolitan authority that would have the control.

5210. If the jurisdiction was vested in the Metropolitan Board of Works, you think it would be a protection against little local abuses?—Perhaps it might be better even in that respect.

5211. Mr. *Mill.*] You said that some years ago there was considerable agitation in the parish owing to the dissatisfaction with regard to local management as it existed at that time, but that this dissatisfaction having ceased, the agitation subsided; is the reason of that, that the dissatisfaction not having been originally well grounded has died away of itself, or has the local management improved since that time?—I think the local management has been very much improved since that time.

5212. In what respect does the local management differ from what it was at that time?—It is much more systematic. The officers have a differently constituted body to supervise them; the vestry which sits fortnightly, but which formerly was only called together as the churchwardens and overseers chose to call them. As an illustration of my statement, I can only say that a gentleman who used to agitate the parish a good deal, and was a member of the vestry, has retired from it; and he told me a few days ago that his vocation had gone; that he had nothing to find fault with now, and therefore he preferred quietly to retire.

5213. Was the agitation that previously existed all antecedent to the Metropolis Local Management Act, or did it go on under that Act during the first year?—It went on after the Act came into operation with regard to the appointment of vestrymen; but, as I said, from that time it has gradually subsided and become less and less.

5214. The improvement that you consider to have taken place, the more systematic management, dates from the Local Management Act, I suppose?—I think so.

5215. Or has it been introduced by degrees?—The Metropolis Management Act put into the hands of the vestry a vast variety of functions that did not previously belong to the mere parish vestry. The agitation which existed at that time was to a large extent connected with the obtaining of the little patronage that is connected with the office of overseer, and with the obtaining of the positions which the vestry had to dispose of. There is not now so much change in the officers as there used to be. Being appointed by the vestry they are well looked after; but they are to a considerable extent permanently appointed. Perhaps there are fewer subjects now to agitate about, but that there has been less agitation is a matter of observation to everybody in the parish.

5216. Now that there is no agitation there appears to be some difficulty in inducing people to offer themselves as candidates even for the vestry?—We have no difficulty in getting persons to act as vestrymen. I said that there was very little of candidature connected with it; that the persons who are elected do to a very great extent perform their duty by regular attendance. I have here the attendances of last year if you would like to refer to them. The persons who are elected do, I think, very generally perform the duties that have, by that election, devolved upon them. They are not anxious to obtain the office; they do not seek it.

5217. They are elected more by a spontaneous choice of the parishioners than by their offering themselves?—Yes; to a very large extent it is so.

5218. Have you ever considered whether an enlargement of the area of local management would be desirable; whether a larger district than a single parish—not a very large one, which I believe yours is not—might not be advantageously managed by the same body, and whether in that case it would not be likely that you would more easily obtain persons of education and position to fill the office of vestrymen, or whatever office corresponded to it?—I think, perhaps, it would have been advantageous had the Legislature made the districts somewhat larger than they are at present; but the vestry that I happen to be connected with does not view with any sympathy the project for consolidating the whole metropolis; say into three large municipal bodies.

5219. No one has proposed so small a number as you mention. The proposition which involves the fewest, is that of making the municipal bodies correspond with the Parliamentary boroughs; in that case yours would be extended to the whole of Southwark. What would be the particular

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nature of the objections the vestry would feel to such an extension as that?—I am not prepared to say that the vestry has any feeling of objection to it.

5220. You only think that they are well satisfied with the system as it is, and that they do not think it requires much amendment?—They appear to be perfectly well satisfied with the system as it is working at present.

5221. Do you not yourself think that the acting on a large scale on the one hand, would produce a greater disposition on the part of persons of position to become members of the body; and on the other, that it would give greater publicity, that the management would take place more in the eyes of the public, and that being conducted on a larger scale it would be possible to subdivide business and confine each part to persons of higher qualifications than are obtained, or can be obtained at present on a small scale?—I doubt if persons of higher qualifications would be obtained for the position by making the area in our locality co-extensive with the Parliamentary borough.

5222. You think that the greater importance of the duties, and their being more in the public eye would not be an additional inducement to persons to offer themselves and take the trouble? — They would have the same duties considerably extended; I do not think they would be rightly described as more important.

5223. They would be the same duties, but the amount of duty, responsibility, and power which the persons so elected would exercise would be greater, owing to the greater extent of the district?—I do not think that a better class of persons would be induced to come forward by an enlargement of the area. I ground that upon my knowledge with regard to the Metropolitan Board itself. I think that that which is a larger body than these bodies to which you have been referring, would not, if there were a general election by the ratepayers elicit the candidature of persons better qualified than the present vestrymen.

5224. Lord *John Manners.*] The duties would be the same, but the work would be harder, would it not?—Unquestionably.

5225. Is it your opinion that the duties being the same, and the work harder, gentlemen who may not perhaps have the whole of their time at their disposal would not be more willing to serve the office than they are at present?—I should think they would not.

5226. If it took a greater proportion of time there would be a greater difficulty in getting persons to do the work?—Yes.

5227. Do you think that the members of your vestry who have their occupations to attend to, find the present amount of work sufficient for them?—Yes, I think so.

5228. Would you therefore be driven to find gentlemen who had nothing else to do but to devote the whole of their time to the duties of the office if this contemplated change took place? —In parishes situated like ours it would be exceedingly difficult to find an adequate number of persons who have no occupation; in our parish we must continue to be represented by the same class of persons as we are represented by now, because we have not a large number of persons who have their time at their own disposal.

5229. Therefore if the contemplated change was carried into effect, and the whole of Southwark was merged into one electoral district, is it your opinion that the parish would virtually be unrepresented under the new system?—I should rather say that my opinion would be that they must, so far as they were represented, be represented by the same class of persons as at present.

5230. But if it was found advisable or necessary to have independent gentlemen who have not these private avocations of their own to look after, then your parish, not possessing that class of men, would virtually be unrepresented in the general municipal constituency of Southwark?—Probably that result would, to some extent at any rate, occur.

5231. Mr. *Mill.*] You would not see any inconvenience in persons of the same class as now form your vestry, serving along with persons of another class in a larger body?—At present the persons who are elected by our parish to be vestrymen arrange their own time of meeting. They meet at six o'clock in the evening for their own convenience, not for the convenience of their officers. I should be glad (I know they cannot do it, and therefore I do not ask it nor expect it) if they could meet in the ordinary business hours, that we might get through the business as other professional persons do; but with regard to our own parish if we were merged into a municipality that met in the middle of the day, I doubt whether we should not, to some extent, be virtually unrepresented, because those who would be elected would probably not be in a position to give the attendance which they now give at six o'clock in the evening.

5232. Do you think that any such body as that would establish hours of meeting that would necessarily exclude a considerable number of those who would probably be, and certainly ought to be, elected to form part of the body; do you not think that such a course would be very unpopular, and that the members would not be elected again if they established such unreasonable rules?—I find that some metropolitan vestries which are in a very different position from St. George-the-Martyr, Southwark, are able to meet in the middle of the day. Inasmuch as I do not know exactly what would be the limits of any one of the new bodies to be formed, I cannot say what hour would be reasonable for them to meet. I merely say that if they were to adopt greatly different hours from those which obtain among ourselves, the present members of the vestry would be unable to attend in consequence of their own avocations.

5233. Lord *John Manners.*] You were asked a question as to the probable effect on the character of the representative to the Metropolitan Board, if the election was direct instead of by what may be called the filtration system, as at present; do I understand you to say that the vestry being a small body, as at present constituted, feel the responsibility of electing a member to the Metropolitan Board, which responsibility would not be felt by the whole body of elected householders, if the election was thrown open in the way proposed?—I think that the vestry does feel its responsibility with regard to the appointment of a member to the Metropolitan Board; but if the election were direct, that is to say, if it were like the old parish elections used to be before the Metropolitan Act came into operation, carried out at a vestry meeting called for that purpose, and no other, it would be very much a matter of accident as to who should attend to vote,

vote, and very much a matter of accident as to who was put in nomination. I think it is regarded as a more important matter by the persons who are themselves elected than it would be if it were done by the body generally.

5234. Do you think that the fact of a man's being selected by the vestrymen, who are themselves elected by the whole body of ratepayers, is regarded as a greater honour than if the election was by the ratepayers in the first instance?—I think so.

5235. With respect to the appellate tribunal that you would wish to establish instead of the present one, in the matter of the removal of nuisances, you have given an opinion upon two points; first, your own recommendation with regard to a committee of stipendiary magistrates; and then the suggestion of the Chairman with reference to the justices in district sessions. Have you thought of the Metropolitan Board as an appellate tribunal on those matters?—Supposing that the vestries had the power to enforce their own orders, subject to an appeal, I think it is very likely that the Metropolitan Board of Works might be a very proper tribunal for that appeal to be taken to; but if it remains as it is, that the vestries can only make orders which for their enforcement require proceedings before another court, then, I think, there would be so much of that kind of work to do that the Metropolitan Board of Works at present would be unable to undertake so large an addition to its functions.

5236. But supposing that the vestry receives power in the first instance, do you see any objection to giving the appellate jurisdiction to the Metropolitan Board?—None whatever.

5237. That would secure the uniformity of practice throughout the metropolis, upon which you have wisely laid stress?—I should think it would.

5238. Mr. *Kekewich.*] I believe you have a large board of guardians?—The number is 18.

5239. And what is the number of vestrymen?—Forty-eight, besides the rector and three churchwardens.

5240. Are the members of the board of guardians members of the vestry, for the most part?—Ten persons are both guardians and vestrymen at the present time.

5241. And you find that the two bodies never clash in any way?—There are differences of opinion sometimes between the two boards. It has happened that the vestry have thought sometimes that the guardians have done not quite right; but they do not practically clash, because they have not jurisdiction over the same things.

5242. I think you said that the rates, both for the board of guardians and for the purposes of the vestry, were collected by the overseers?—Yes.

5243. Are those overseers paid by poundage?—No; the collection is under the board of overseers, but the rates are collected by collectors; the overseers are paid nothing; they are honorary officers; they receive nothing, any more than the vestrymen or guardians.

5244. The collectors are paid by poundage?—Yes.

5245. Have you a county rate in your parish?—We are in the county of Surrey, and pay the Surrey county rate.

5246. What is collected by the county rate, and what under the poor's rate?—The magistrates of the county of Surrey issue a precept to the officers to pay so much money to their treasurer. We simply pay that money, and charge it to the poor's rate account; that is the universal practice, I believe.

5247. What is the difference in the valuation of the county rate and the poor's rate?—In our parish it is exceedingly slight; I am not aware that there is any practical difference between the assessment made by the overseers for the purpose of the poor rate, and the assessment made upon the parish by the magistrates for the purpose of the county rate.

5248. When was the last valuation made in your parish?—I do not know; there has been no complete valuation of the parish made in my time; we correct it from time to time, as occasion may require.

5249. How do you correct it?—The last correction we made was about five years ago. We got a copy of Schedule A., and we ascertained from that that a great proportion of the parish paid fairly; that from time to time incorrectnesses had crept in, and a large number of parishioners were paying unfairly too little. We assessed them therefore upon the information which we derived from Schedule A., from which we ascertained the actual rent.

5250. And you believe that to be generally correct?—We believe that to be generally correct, and for this reason: the return is made by the tenant, and the tax is paid by the landlord. The tenant has no reason, in respect to Schedule A., for making a false return; and probably it is generally true.

5251. What deductions do you make in order to get at the rateable value of houses?—In cases of appeal we are obliged to state deductions in the terms of the Act of Parliament; but as a rough practical mode of getting at the result throughout the parish, we take off one-fifth, or 20 per cent., for premises in moderate repair.

5252. If the premises are not in good repair, what do you do?—If parties come, and show that we have not deducted enough, we make a further deduction according to the circumstances of the individual case.

5253. Have there been many appeals before the magistrates against the valuation?—Five years ago, at the time when this re-assessment was made of those parts of the parish that appeared to be improperly assessed, I had about 260 appeals tumbled into my office simultaneously, and they were to be heard at the Petty Sessions within seven days. I suppose it was thought that I should be overwhelmed by such a proceeding. However, I simply asked the magistrate to give us 14 days' adjournment in order to look into the matter, and that the overseers might be put into communication with the parties who had signed the appeals. The consequence was that although we made an alteration in the gross assessment of the parish to the extent of more than 20,000 *l.*, I believe the reductions which were ultimately made from that did not amount to 20 *l.*

5254. Do you think it would be a good thing to establish a valuation board for the whole metropolis, or do you think it would be a good thing to establish a board of valuation to value your parish?—Our parish goes in, of course, for an equalisation of rates throughout the metropolis, and if there be an equalisation of rates throughout the metropolis, there must be some general metropolitan assessment board; but

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while things remain as they are, our parish could not be more equitably assessed than it is by the present board of overseers and churchwardens. As amongst ourselves, we are doing perfectly fair, and I believe, as a portion of the metropolis, we are doing precisely that which is fair; because, as I said just now, the difference between the county rate and our parochial assessment at the present time is nothing.

5255. When was the county rate assessment last made?—About six years ago, a very little time before this assessment of the parish took place.

5256. You do not know upon what principle that was made?—I am not in the secrets of the magistrates of the county, but I have an impression that they get a good deal of assistance from Schedule A.

5257. Do you think, if there was a general valuation of the whole metropolis, so as to ascertain literally the gross estimated rental, your parish would stand well at its present assessment, that it would be correct?—I think the assessment would stand very well. An equalisation of rates would reduce our rates enormously.

5258. The gross estimated rental of a house of 10*l.* or 20*l.* would still stand the same, it would be the gross estimated rental of that house?—Perhaps in a previous answer I ought to have discriminated between the farmed property and the other. We have hardly a 10*l.* house in our parish which is not farmed to the landlord, and in that case the reduction is larger; because the rent includes all the rates, and besides making deductions for repairs and insurance, statutable deductions which we are obliged to make, we have also to deduct the rates themselves, which are paid in the rent; therefore, a 10*l.* house would not come within my previous answer with regard to the deduction of one-fifth, because the rating with regard to houses that are farmed is totally different.

5259. *Chairman.*] The statutory deductions from the gross estimated rental of a farmed house amounts to a maximum of 50 per cent.?—The practice in our parish is this: these houses are all let by the week, and whatever may be the shillings per week we take to be pounds in the assessment; if a house lets for 7*s.* a week we assess it at 7*l.*

5260. For 52*s.* you take 20*s.*?—For 52*s.* rent per annum we put 1*l.* in the assessment for rateable value.

5261. Mr. *Kekewich.*] Are many persons excused the payment of rates in the parish of St. George's?—Not now, because the landlords become responsible for the houses of the poor; we have rarely any excuses now; not perhaps three in a quarter.

5262. Mr. *Tite.*] With regard to the question of water supply, you do not appear to be particularly acquainted with the provisions of the Act under which the water supply to your parish is arranged or controlled; you say that there are two companies supplying the parish?—Yes; I have not particularly studied the Acts of those two companies.

5263. Do you know that by the General Act a certain number of persons may, if they please, demand a constant supply?—I am not aware of that, but I am aware that the existing legislation does not practically ensure to anyone in the metropolis a constant supply of water for domestic or other purposes. The restrictions under which such a supply can be claimed are such as would certainly frustrate any claim that the company might choose not to concede. This furnishes the reason which such claims have not been made.

5264. With regard to the Sunday supply, have you, as a public body, represented to these water companies the necessity for such a supply, particularly in hot weather like this; and, if so, has your application been refused?—I cannot say that it has been refused.

5265. Has it been made?—I am not clear that it has been made.

5266. Would it not seem to be natural that you, a public body, should go to the company and say, "we think that there is a general feeling that there should be a better supply of water during the seven days"?—That has not been done.

5267. With regard to the disinclination of the magistrates to help you where the vestry have laid out money for the amelioration of the dwellings of the poor, have you in many cases given up seeking to obtain that money and lost it?—You have coupled two things in one question that I did not couple in my own mind; I did not say that the magistrates were disinclined to assist the vestry in recovering expenses we had incurred in ameliorating the condition of any house; but I said we did not always find them inclined to second us in our efforts to deal with the nuisances in the parish.

5268. Have you lost any money in the way I have mentioned?—We lost 20*l.* or 30*l.* for the first two or three years, but since then we have not done anything of the kind.

5269. With regard to the collection of rates, you have explained that the payment is by poundage, therefore it does not signify who is employed to collect it?—No.

5270. I apprehend that in the poor districts it is rather a convenience for the poor people not to have a large sum asked for at once, and that it is better to go three or four times a year?—There is a greater chance of getting it in that way than by asking for 4*l.* or 5*l.* at once; we always, as far as we can, make the collection of the vestry rates to take place between the collections of the poor rates, so that persons should not be applied to for both at the same period.

5271. Are the houses of the low class to which you have referred, the property of one owner or many in your parish; I see that in the book that you have produced there are about 20 dwellings belonging to one person; is that the case generally, or are the houses scattered about among many owners?—We have a large number of owners owning one or two houses, and there are two or three owners who own very large numbers; there is one person who makes it his business to buy up the lowest class of property, and he has bought up a great deal in our parish; there are one or two who own perhaps 20 or 30 houses, but there is no wholesale proprietor that I know of who owns to the same extent as the person I have mentioned.

5272. Are his repairs generally looked after in a generous and liberal way?—He keeps a large number of workmen constantly employed, and sometimes he is prompt in attending to the requisitions of the vestry, but that is not always the case.

5273. If, in addition to the necessity for a public election of a member to the Metropolitan Board, instead of a selection, as at present, that election

election were to be annual, would that be an objection, in your mind, or otherwise?—Of course, if one were annual, all would be annual.

5274. If you were to seek, as has been suggested, a better class of persons to represent your district at the Metropolitan Board, and it was to be done by a large increase of voting power, and if the election was annual, what effect do you think that would have upon the body elected; do you think they would be better, or that you would have greater difficulty in obtaining respectable persons to offer their services to represent you at the Metropolitan Board?—My opinion is, both with regard to the Metropolitan Board and the vestries, that the triennial election of each individual member has great advantages. It prevents the sudden alteration of proceedings which might perhaps otherwise be made.

5275. Do you think you would get a better class of men by electing them annually, and by a direct election, instead of an election by the vestry itself?—Certainly not by electing annually. I have already answered the question with regard to the direct election.

5276. You think that it would increase the difficulty?—To elect the members annually would increase the difficulty.

5277. *Chairman.*] Do you take any steps to publish your accounts and proceedings to the inhabitants?—We print 2,000 copies; we distribute a considerable number gratuitously amongst the parishioners, and we give them to any person who applies without charge. The charge in the Act of Parliament is so ridiculously low that it is not worth our while to trouble ourselves about the 2 *d.* which is all that we can ask. We distribute the reports very freely to anybody who chooses to apply, of course taking care that one person does not get a lot.

5278. You are aware that the guardians are elected by voting papers?—They are.

5279. Have you formed any opinion, or has your vestry formed any opinion as to which is the best mode of election; by voting papers or by attending at the place of election?—I believe my opinion coincides with that of the vestry, that the best mode is by attending at the place of election, and personally giving in the votes; that the voting papers are not so convenient to the rate payers as the other mode.

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5280. Do you think it would be an advantage if there were a general election once a year for all persons connected with the local administration, instead of having two elections upon different principles?—I think it would. I see no objection to a consolidation of the three boards that exist in our parish into one.

5281. And an administration of general affairs by different committees?—Just so.

5282. Have you found any difficulty, or have you attempted to undertake the duty of watching over the Private Bill legislation affecting your parish?—I am expected to acquaint myself with any Bills that affect the parish, and to report to the vestry, from time to time, in relation to them; they, of course, include Railway Bills.

5283. Has your vestry considered the expediency of entrusting that duty to the Metropolitan Board, rather than imposing it upon the vestry and district boards?—Perhaps it is not imposed upon the vestry by legislation at present, but we feel bound to refer to these matters for our own protection. Generally, if we needed assistance, we should apply to the Metropolitan Board of Works in opposing any Bill. I do not know that we are at liberty to expend the public funds in expensive litigation in opposition to any scheme of that kind; the Metropolitan Board of Works has statutory authority for that purpose.

5284. Do you think it desirable that it should have a general superintendence of private Bill legislation affecting the metropolis, the local Board communicating to it their wishes?—I think that is the existing plan, and I think it a convenient one.

Mr. Henry Bidgood, called in; and Examined.

5285. *Chairman.*] Are you a Member of the Local Board of St. James's, Westminster?—Yes.

5286. Mr. *Tite.*] You also represent that parish at the Metropolitan Board?—I do.

5287. And have done so, I believe, ever since its constitution?—After the first fortnight.

5288. What is the extent of the parish?—It is a small parish, but very populous and very wealthy; extending from the corner of Wardour-street, in Oxford-street, down to Coventry-street.

5289. Do you know the population?—I do not.

5290. What is the number of the elected members of the vestry?—Forty-eight.

5291. Of what class are they?—A very superior class of men. I believe the names are before you.

5292. Lord Elcho is one of them?—Lord Elcho is one of them; but having been very recently elected he has not yet attended. We do not look for very general and active attendance on the part of such men as Lord Elcho, but in all matters where Parliamentary action may be required, having a great number of noblemen and gentlemen in the parish, we find it advisable on all hands to have a respectable class of men in the vestry.

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5293. Is there a large number of the 48 of whom you have spoken consisting of inferior tradesmen?—Certainly not.

5294. What is the general class of men?—The district is divided into four wards; Pall-Mall Ward Church Ward, Golden-square Ward, and Marlborough Ward. In the Pall-Mall Ward four of the men who represent it live in St. James's-street, one in St. James's-place, one in Regent-street, two in Pall-Mall, one in Norris-street, Haymarket, one in the Haymarket, one in Cleveland-place, and one in Park-place.

5295. The Honourable Frederick Byng is also a member?—He is a member, and he has been one of our best and regular attendants.

5296. They are a very respectable body of gentlemen?—Very.

5297. And the smaller class of tradesmen do not predominate?—There is no one in our vestry who can be said to belong to the small class of tradesmen. There are some very active men who do not live in our best streets, but that does not constitute them, in my opinion, a small class of tradesmen.

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5298. Lord *John Manners.*] The question was, whether these predominate in the vestry?—Certainly not.

5299. Mr. *Tite.*] You say that the district being a very respectable one, is fairly represented by persons of all classes, and many of those persons of a superior class?—Yes, many of them.

5300. Your medical officer is Dr. Edwin Lankester?—Yes.

5301. What is his situation?—He is the medical officer of health.

5302. What is the emolument?—I believe it is 150*l.* a year; originally, it was 100*l.* a year. When the Local Management Act gave us the power to establish a medical officer of health, it was considered that that was a fair remuneration, inasmuch as the duties are chiefly those of superintending and not active duties.

5303. How came the salary to be 150*l.*?—It was raised all at once from 100*l.* to 200*l.*, but that was done with considerable opposition on account of the rise being so large, and there was no peace until it was reduced to what I consider to be a fair sum, 150*l.*

5304. Of course, Dr. Lankester does his duty faithfully and punctually?—Thoroughly.

5305. Does he report to your vestry periodically, or what course does he take?—He has under him a very able man as inspector of nuisances (Mr. Morgan) who reports to him from day to day. Dr. Lankester, from those reports, and from personal attention, where such attention is actually required, makes his report to us once a fortnight.

5306. Do the vestry take those reports into consideration?—They take them into consideration, and refer such of them as require action to the sanitary committee.

5307. Have the sanitary committee power to act, or do they report back again?—The sanitary committee unfortunately has no power of action; that is an inherent fault of our committees.

5308. Then the committee reports back to the Board?—The committee reports back to the vestry, and the vestry adopt what they think proper.

5309. Is it true that there is a systematic neglect of Dr. Lankester's recommendations in order to avoid the expense of carrying them out?—I am not aware of anything that has been refused to Dr. Lankester in which I have not been a concurring party. I think we did not adopt his recommendations with regard to the gas. He wanted to have a testing room fitted up at the vestry hall, but that was felt to be a great expense for a very problematical benefit.

5310. My question refers to sanitary matters; the dwellings of the poor, drainage, and so on?—Certainly, nothing that relates to the sanitary condition of the parish has been neglected; and as a proof of that, I may say that within the last fortnight, upon Dr. Lankester's recommendation, a second officer, an inspector of nuisances, has been appointed on account of the apprehended visitation of cholera.

5311. Have you had any report from your surveyor with regard to a large outlay upon sewers which you refused to carry out on the ground of expense?—In Regent-street there are two classes of sewers. There is a very large main sewer, which I presume is the property of the Metropolitan Board of Works, running down through the centre of the street, but which is of no service whatever to the inhabitants of Regent-street, inasmuch as it is at a great depth; between 40 and 50 feet from the surface. We are therefore obliged to have local sewers at the sides; and, here and there, they fall into the main sewer, but those local sewers have very recently been ascertained to be in a bad state, and we have it now under consideration whether to adopt an entirely new sewer on both sides at a cost of 20,000*l.*, or whether it is practicable to carry the drainage of every house into this very deep sewer of which I have spoken. In order to fortify the opinion of our surveyor (Mr. Howell) we have asked Mr. Heywood of the City, to give us his services, and to say what would be the best system, or whether it is actually necessary to have this expensive system; but we shall not hesitate, if it is necessary, to spend 20,000*l.* for the new sewage.

5312. And the smaller class of tradesmen, if there are any, in the vestry, would not have the power of preventing you?—Certainly not.

5313. You would raise money as other vestries do, and spend it gradually?—In the same way as we have borrowed at various times about 50,000*l.* for other matters, paying it off at so much per annum.

5314. I believe you attend here with the consent of the vestry, and almost at their request?—I am apppointed by the vestry.

5315. When did your appointment take place?—On the 21st June I was requested to attend.

5316. The resolution appointing you was, "That Mr. Bidgood and Mr. Medwin be requested to attend before Mr. Ayrton's Committee to give evidence upon such changes as they may think necessary to obtain from the inhabitants of the different parishes a more active interference in vestry affairs generally, and the election of its members in particular; that they be requested to ask the Committee to give the same powers to the vestry committees as are now possessed by the committees of the Metropolitan Board of Works." The last suggestion is, that the vestry should be able to delegate to its committees a power of action. You desire that that power should be given in order that the committees may not have to come back to the vestry, as you have explained in a previous answer?—Yes.

5317. With regard to any other suggestion, will you say what occurs to you?—I think that the great defect in the Local Management Act, and that which will account for the little interest taken by the parishioners generally, in parish matters, is, that there is not sufficient publicity in regard to elections; 19 out of every 20 men you speak to are not aware that any election is about to take place, or has taken place, or ever will take place. They know nothing about it, and I am ashamed to say they care nothing about it, so long as they only pay small rates. I think if more publicity in regard to elections were given by the churchwardens than is required by the Local Management Act, great good would be secured; moreover, it would take it out of the hands of any small number of men who may be disposed to act together. Men would then act independently. I would suggest that, when the annual election comes round, the churchwardens should summon, by handbill sent to all the ratepayers, a general meeting of the ratepayers, to be held, say, on the first Monday in May for the purpose of nominating

nating fit and proper persons to serve as vestrymen (that should be the specific object of the meeting); I would then compel the churchwardens to send to all the ratepayers a list of the persons so nominated before the second Monday in May, and an election should take place on the third Monday in May, in all parishes and districts, and in wards where the parish or district is divided into wards, of persons so nominated. I would also have this further publicity given by the churchwardens, that the notices and the lists of the persons chosen should be advertised in the local papers. I think the result would be that scores and hundreds of ratepayers, who now know nothing at all about what is taking place, would see what was going on, and every active minded man would take his part in it.

5318. Have you any other suggestion to make?—As regards the mode of election, I do not think I have anything further to add.

5319. Would you have the election by voting papers or *vivâ voce*?—I think it is best by voting papers. I live at Surbiton Hill, and I am sure I should never go to Kingston to vote, but a voting paper being sent to me I see the men named in it, and I vote accordingly. The beadle calls for my paper, and I have no more trouble about it. A statement has been made that the vestry neglects its duties. I have here a paper which shows that within the last 15 years we have borrowed not less than 50,000 *l.*, which we are paying off by instalments. We have borrowed that sum for baths and washhouses, for the purchase of some freehold houses in Poland-street, giving greater facility to our operations in case we want to make any alteration; also for rebuilding a new wing to the workhouse, and for the erection of our parish schools on Battersea Common.

5320. With regard to the election to the Metropolitan Board, would you have it as it is now, an election by the vestry or an open election?—The vestry have always chosen me, and it is not for me to suggest any alteration.

5321. But as a man of business you can give us your opinion?—I think you get men freer from pledges and popular clamour by giving the vestry the vote, than you would get by giving it to the parishioners at large.

5322. You do not recommend an open election?—I do not.

5323. Mr. *Mill.*] Have you turned your attention to whether it would be desirable that the area of management should be extended beyond the parish: do you not think that even with those functions which you propose for giving additional publicity to the election there will still be less interest taken in becoming a member of the board of management for the parish only than there would be in becoming a member of a smaller body for the whole City of Westminster?—I do not think that the difference would be very great, but I think certainly that Westminster is not too large for one municipal action?—It has been a favourite notion of mine for the last 20 years.

5324. The whole of Westminster?—Yes; after all I think it is not larger than Marylebone.

5325. If there were a greater unwillingness to become a candidate for the larger district than for the smaller, still the fact that you would not need so many persons to offer themselves for Westminster as you would need for all the parishes into which Westminster is divided, would in itself be an advantage, and would give a greater choice of members?—Yes; I think that 48 men for our parish is too large a number, and the thing ceases to have that honour attached to it which it would have if the vestry was composed of half a score or a dozen persons.

5326. Mr. *Tite.*] You think the office would be more sought after?—I think so.

5327. Mr. *Mill.*] You think that if 48 or double that number were elected for the whole of Westminster it might be felt to be a considerable honour to be one of them?—I think that 48 men could manage Westminster very well.

5328. Lord *John Manners.*] You have said that you think the want of interest taken by the parishioners in general in particular matter arises from the want of publicity; can you cast your memory back to the latter days of Mr. Ward in St. James's?—Perfectly.

5329. Do you remember whether great interest was taken in parochial contests in those days?—Immense interest.

5330. Was there more means of publicity in those days than there are now?—The whole secret of that matter was the question of church-rates.

5331. There were the same means of publicity in those days that there are now?—The same means of publicity, but a greater height of parochial feeling.

5332. I believe that interest manifested itself particularly in two lists being prepared and submitted to be voted upon?—Quite so.

5333. I think that fight continued for some years?—Until the vestry was so composed that they had the right of saying who should be churchwardens; the churchwarden previously pledging himself that he would not be a party to making a church rate.

5334. One party was, I think, always defeated?—Always.

5335. And after the battle had gone on for some years, the party that had always been defeated ceased to take any interest in parochial matters?—They ceased to take any interest in parochial matters; but after the question (Church rates) was so far settled that nobody would think of reviving it, then among those who had been on what was generally termed the red list (persons of conservative tendencies and views) a nicer feeling sprang up, and some of the very strongest conservatives have since been elected on our vestry since that question was taken out of the way.

5336. But the practical result has been that there is no longer that animation and energy shown in parochial contests that was shown during the years that you and I remember?—The cause not existing, the symptoms have abated.

5337. Therefore it is not quite correct to say that the absence of all that interest and excitement results from a want of publicity; it results apparently from the want of some great question to quarrel about, does it not?—I think that if there were some question which was felt to be a great grievance there would be a very strong course taken notwithstanding the want of publicity.

5338. Mr. *Kekewich.*] Is the conduct of the Metropolitan Board approved of in your vestry?—The conduct of the Metropolitan Board has been called in question by several distinct notices of motion in our vestry, and we have had a fair

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stand-up fight for it; but I have invariably secured a vote in favour of the Metropolitan Board.

5339. I believe you represent the parish at the board?—I do.

5340. I suppose if the vestry thought that you had not been sufficiently economical, they would turn you out?—Certainly.

5341. Of course it is a sort of distinction to be chosen by the vestry to represent it at the Metropolitan Board?—Quite so.

5342. And is it an object of ambition, generally?—I have no doubt it is.

5343. What would be the effect of voting papers; would you get a different class of people in the vestry?—I think if a voting paper were left at every ratepayer's house, he would look down the list of persons who had been nominated, and would then make a selection for himself, and send or take his paper to the vestry room or place of election.

5344. You are in favour of the system of voting papers?—I am in favour of the system of voting papers inasmuch as men will not take much trouble about anything, unless there is some great grievance to be remedied.

5345. Voting papers give a sort of publicity to the election?—No doubt of it.

5346. Mr. *Mill.*] The board of guardians are elected by voting papers, are they not?—Not with us.

5347. *Chairman.*] Have you a local Act in force for any purpose in St. James's, Westminster?—Yes.

5348. For what purpose?—Our guardians, or directors of the poor, as they are called, are elected by the vestry.

5349 And from the vestry?—Not necessarily.

5350. But practically?—No.

5351. How many are elected out of the vestry generally?—Probably half a score; but the feeling is that it is desirable to elect men who are not in the vestry, so as to have independent men to act in relation to the poor.

5352. Do the directors of the poor regulate the assessment of the parish and the collection of the rates, or do you elect other persons for that purpose?—The vestry makes the rate; the governors of the poor estimate what will be necessary, and the vestry confirms it.

5353. Then the vestry assess the parish and superintend the collection of all rates?—Yes.

5354. That would be under the Local Act?—Under the Local Act, I presume.

5355. In the paper that you have handed in, I perceive that part of the expenditure is under the Poor Law Board and part under the Local Government?—Yes, it spreads over 15 years.

5356. Have you a general account of the whole administration of the parish?—The vestry is the only board in our parish which has to do with money matters.

5357. The directors of the poor account to you for the administration of the funds for the poor?—Certainly.

5358. So that to a large extent you have but one administration?—We have but one administration as far as regards money.

5359. Therefore, in point of fact, the persons you appoint as directors of the poor are a body emanating from yourselves, and to some extent under your control?—Not at all under our control as regards the management of the poor.

5360. But as regards the funds?—They make an estimate of the rate, and it is always sufficient to carry out their views.

5361. You have no power to interfere with the expenditure within the estimate?—I think not.

5362. The period to which reference was made by the Noble Lord was a period of political excitement, arising out of the Church-rate question?—It was.

5363. And that being ended, the harmony of the parish has been restored; is there any distinction of politics in the vestry now?—Some of our very best men are Conservatives.

5364. *Chairman.*] Does the rector ever attend your board?—I am sorry to say he does not see it to be compatible with his duties; we should get on a great deal better if he did.

5365. Do you think it would be better to neglect his other duties in order to attend to the lighting and paving of the parish?—I think he should attend to the lighting of the parish religiously.

5366. In what way do you mean?—To do his duty as a citizen.

5367. Would not it depend upon whether he has got religious duties to perform as a Christian?—Every man has religious duties to perform.

5368. Mr. *Kekewich.*] Do you think that voting by papers would occasion a renewal of political struggle, that it would bring about that collision of parties which you had some time since?—No, I think not; it might lead to a little canvassing by ardent men.

5369. You think that generally people would vote for the man they thought best entitled to a seat in the vestry?—Yes, and I think very many more would vote.

5370. *Chairman.*] Do you think it would be desirable, as the rector does not perform the duty of superintending your board, to have any person to discharge that duty permanently?—The churchwarden, in his absence, always takes the chair.

5371. Has he a right to do so?—I forget whether he has an absolute right.

5372. Mr. *Tite.*] In practice it is so arranged?—Yes.

5373. *Chairman.*] That is the understanding you have arrived at to supply the deficiency of a permanent chairman?—Yes.

5374. Do you think it desirable to have a recognised chairman?—I think it would be very desirable; it would give unity to the operations of the parish, and you would have somebody who would feel a responsibility.

5375. Do you think that such a position as that would be rather sought after by persons of a certain station if it was recognised by law?—I think such a thing would be very beneficial in its operation in the parish.

5376. You think it would be convenient to add to the number of the representatives to the Metropolitan Board in consequence of the increase of their duties?—I think it might be, provided the board itself was not made too large.

5377. If its duties are to be increased, or continually increasing, do you think it desirable that it should be able to set up a number of committees for the purpose of carrying out those duties efficiently?—I think certainly that it would be advisable that there should be distinct committees for distinct classes of duties.

5378. Do you think, having regard to the fact that

that they are unpaid duties, it is desirable not to impose too much duty upon any member of the Metropolitan Board so as to make it onerous?—It is very onerous now.

5379. Do you think it would be desirable to make it less onerous to individual members, by having more members and a greater division of labour, so that one might attend to one thing and another to another thing?—I think it quite possible that such an arrangement would be beneficial.

5380. With regard to the mode of increase, do you think there would be any practical difficulty if you had a system of election by voting papers, and electing a member to the Metropolitan Board by the inhabitants at the same time as the other election was carried on, supposing the elections to be conducted in the manner you have described?—I do not think you would get such good men, if the election was thrown open. I do not think you would get so much thought bestowed upon the subject by a parish at large, as you would by a vestry, who would look upon the choice of a member as a matter for grave consideration.

5381. If such a person as you have described was put in nomination, and his name sent round as a candidate, do you think that the inhabitants would not bestow sufficient consideration upon it, and that they would elect some obscure person instead?—I should have no fear as regards myself, because from having been known so long in the parish, I think it is quite possible that they might have a sufficiently favourable opinion of me to return me; but I think in cases where questions might be put to a candidate requiring pledges and so on, from which I should shrink, some other person who would give pledges might possibly secure the votes.

5382. What sort of pledge would he have to give?—A pledge to do almost any impossible thing.

5383. Yours is the wealthiest district in the metropolis, is it not, having regard to its area and population?—I do not know whether we exceed St. George's.

5384. I believe you considerably exceed any other parish having regard to area and population?—The annual value of the property is nearly half-a-million.

5385. And the area 164 acres; Saint George's, Hanover-square, being 1,161 acres, and only worth, according to its own statement, with reference to the county rate, a million of money.

5386. So that yours is about three times as valuable as St. George's, Hanover-square?—Yes, it is very wealthy, no doubt.

5387. Lord *John Manners.*] If you give that answer with respect to a parish situated as you describe yours to be, I need hardly ask what answer you would give to a similar question with reference to one of the poorest parishes in the metropolis?—I think it cannot be better done than it is.

5388. *Chairman.*] You think that in the wealthiest parish in the metropolis the inhabitants would not elect a member to the Metropolitan Board in an intelligent manner, but would elect him in an absurd manner?—It is impossible to say what may be done in times of excitement.

5389. You consider they might elect a person who would give impossible pledges?—After 30 years' residence amongst them, I should have no fear as to the result as regards myself; but my successor might not have the advantage of being so long known amongst them, and then I think a man who would make strong pledges, might possibly succeed in getting in against a quieter and better man.

5390. Do you know whether any difficulty has been experienced in your parish in carrying out the sanitary Acts?—I think not any real difficulty. The fact is, in regard to the sanitary Acts, you never know when your work is done; things that you set right one week, require just the same supervision and attention the next.

5391. Are there many back courts and alleys in the parish occupied by the poorer classes?—Not very many; there are a good many behind the brewhouse in Broad-street.

5392. In the neighbourhood between Golden-square and Oxford-street, are there not some back courts and alleys containing a very poor class of people?—There are some, mostly inhabited by the working classes, who work for the houses in Regent-street.

5393. Those would be a superior class of workpeople? — They are, but they require supervision.

5394. Is there much need of supervising people of that sort for sanitary purposes?—Persons are negligent; they will not see to their places being properly cleansed, especially where there are a great many lodgers in the same house.

5395. Are there many courts or small streets so built in your parish as to be from their structure unfit for habitation?—I think not.

5396. If they were not overcrowded you would not consider the houses themselves objectionable?—No. There are some that might be better arranged, but I think, generally speaking, it is the overcrowding that is the objection.

5397. Have you any suggestions with reference to the suppression of overcrowding?—I have not given much attention to the subject.

5398. Are there any other matters on which you wish to offer any opinion?—None that I am aware of.

5399. Mr. *Locke.*] Are there any portions of your parish where the nature of the locality, the narrowness of the streets, and so on, would tend to generate fever and disease?—There are some places of that description, especially about the bottom of Berwick-street, and a block of houses or alleys between it and the top of Rupert-street. We had some hope that we should be able to get Rupert-street cut through into Berwick-street, so as to make one continuous thoroughfare, but it would cost 50,000 *l.* or 100,000 *l.*; certainly 50,000 *l.*; and it was considered that that was too large an outlay for the parish to make. If the Metropolitan Board had funds at its disposal, I should very strongly press upon it the opening of Rupert-street, not merely for facilitating the traffic, which it would do to an enormous extent, but also in order to confer great sanitary advantages.

5400. Are these houses of such a description, that from their position they generate disease, being so close together that there is not a proper circulation of air?—They certainly would be more healthy if they had more air, but I do not think it would be fair to say, with reference to any parts of our district, that they generate disease.

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5401. Or that they ought to be condemned and taken down?—If they are to be lodging-houses they ought to be reconstructed.

5402. Has your opinion been directed to the Bill brought in by Mr. Torrens this Session?—I am aware of the Bill, but I have not attended to it.

5403. Do you think there is any portion of your district to which it might be applied, supposing it passes into law?—The greatest possible benefit has accrued to our parish from the building of "Ingestre Buildings." Lord Ingestre and some other noblemen and gentlemen pulled down a large block of inferior buildings and built up "Ingestre Buildings." Those buildings are sought after by the more intelligent class of workmen, because they have water-closets, and everything of that kind, on every floor. They do not hesitate to pay the rent if they can get the accommodation they require.

5404. It would be an advantage if some of these miserable buildings were to be destroyed, and buildings such as you mention erected in their place?—Yes, there is a considerable field for such operations.

Mr. William Francis Jebb, recalled; and Examined.

Mr. *W. F. Jebb.*

5405. Lord *John Manners.*] I believe you wish to offer some explanation, or some addition to your evidence?—Yes. When I was last examined I said I would consult our solicitor with regard to two sections of the Act to which my attention was drawn, and I will now read his letter on the subject. "Board of Works for the Westminster District; Office, Great Smith-street, Westminster, S.W., 23rd June 1866. Sir,—With reference to Section 67 of the Amended Metropolis Management Act, 1862, to which you have drawn my attention, relative to a supply of water to houses inhabited by the poorer classes. On reference to that section it will be found necessary to refer to three different Acts of Parliament, viz., 'The Water Works Clauses Act, 1847,' 'The Chelsea Water Works Act, 1852,' 'The Metropolis Water Act, 1852,' in order to ascertain whether the supply can be furnished at the rate not exceeding 3 *d.* per week. Supposing this can be done, and the owner refuses to comply with the notice, and the work is done by the Board, considerable difficulty will occasion in recovering the expenses from the owner if he could be found, and it would be quite useless to attempt to enforce them from the occupier, having regard to his position. I would therefore suggest that a remedy should be provided by enabling a magistrate to issue an order for closing the house unless the requirements of the Board be complied with in this respect, in like manner as he may, in reference to a house unfit for habitation under the Nuisances Removal Act. With regard to the 13th Section of the "Nuisances Removal Act, 1855," to which you also draw my attention, I cannot say that I have found any great difficulty in carrying into effect the provisions of the above section beyond delay, but it does occur to me that inasmuch as no proceedings are taken in any cases referred to in that section until after the premises have been visited by the officer of health and inspectors certified by the Sanitary Committee, the Board should have the power to deal with these cases in a more summary manner, and, if it may be, without the intervention of the magistrates, as it is of the utmost importance in all these cases that there should be no delay but prompt action on the report of the officer of health. I find that some of the suggestions made by you to the Committee will be provided for by the "Public Health Bill," now before the House, therefore it is unnecessary for me to refer to them, I am, sir, your obedient servant, *James Rogers.*" Since I was here the Public Health Bill has been printed, and it will remedy several matters to which I ventured to draw your attention.

5406. I believe you wish to give some explanation with reference to the condition of the Broad Sanctuary-road on some recent public occasion?—Yes; when I was examined, I was asked, "Has any complaint ever been made as to the paving or mending the roads at Westminster?—*A.* I do not recollect anything of the kind. *Q.* Was there not a complaint that on the day when the Queen went to open Parliament, the road was almost impassable, in consequence of immense pieces of granite which were laid thickly upon the road, so that the carriages could hardly get along?—*A.* I remember seeing a letter in the papers upon the subject. I believe it can be well explained by the surveyor. I am not sufficiently acquainted with the circumstances." Since I was here I have spoken to the surveyor on the subject, and this is his explanation: "It was not on the occasion of the Queen opening Parliament, but on that of the funeral of Lord Palmerston, that complaint was made of the road in the Broad Sanctuary." The explanation is this: "It was not at first intended that the funeral should be public; but as soon as it became known that it would be so, the further breaking up of the streets (which at the time were under very extensive repair) was stopped, and steps were taken, by rolling and otherwise, to consolidate the roads as much as possible. On the morning of the funeral fine granite siftings were placed upon the line of procession, near the Abbey, and the rolling was continued as long as the police would permit. These steps, which were taken solely for the purpose of allowing the hearse to travel as noiselessly as possible, were misunderstood, and led to the impression that there had been a want of proper feeling on the part of the local authorities in continuing their works, as it was stated, almost in front of the procession. 15th June 1866. *R. R. Arntz,* Surveyor to the Board of Works for the Westminster District of the Metropolis."

5407. Mr. *Locke.*] The correction is that the stones were laid down, not upon the occasion of the Queen opening Parliament, but on the occasion of the funeral of Lord Palmerston?—Yes.

5408. However, these stones were upon the road in November, not in February?—Yes; the surveyor states that the road had been under repair for some time, and it was not known that the funeral would be public.

5409. *Chairman.*

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5409. *Chairman.*] In the one case you would know the date of the opening of Parliament, but you did not know by anticipation when Lord Palmerston was going to die?—That is so.

5410. Mr. *Tite.*] You are aware that in consequence of Lord Palmerston's funeral attention was drawn to the state of the roads?—Yes.

5411. Do you think that the state of the roads is a fit one upon any occasion, whether that of a funeral or ordinary persons driving along it?—I am hardly able to answer that question.

5412. Are you aware that with reference to the roads in the park under the care of Mr. Cowper, as soon as stones are laid down they are rolled with a roller of enormous weight, dragged by eight or ten horses; and do you know that a suggestion has been made that the Metropolitan Board should have the power of possessing such an instrument, which the parishes might hire and pay for, so that this difficulty might be put an end to with a little care?—I have never heard of it; but I think we should be quite ready to adopt it; I think it would be very desirable.

5413. Lord *John Manners.*] Would you not all quarrel as to the time when it should be used?—I think we might arrange that.

Thursday, 28th June 1866.

PRESENT:

Mr. Ayrton.	Mr. Locke.
Mr. Kekewich.	Lord John Manners.
Mr. Alderman Lawrence.	Mr. Mill.

ACTON SMEE AYRTON, Esq., in the Chair.

Mr. William Newton, called in; and Examined.

Mr. *W. Newton.*

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5414. *Chairman.*] Where do you reside?—At Arbour-square, Stepney.

5415. Are you a member of the vestry of Stepney?—Of the Hamlet of Mile End Old Town.

5416. Are you also a representative of that vestry in the Metropolitan Board of Works?—I am.

5417. Do you take much part in the proceedings of your vestry?—Yes.

5418. And of the Metropolitan Board of Works?—Yes; I am also a member of the Whitechapel District Board.

5419. That is at the adjoining district to your parish?—Yes.

5420. How long have you been on the vestry?—Nine years, last month.

5421. Nearly from its first institution?—Yes, except one year.

5422. Is there much interest taken in the election of members of the vestry?—Yes.

5423. Is it in wards?—Yes; we have five wards.

5424. A certain number for each ward?—Yes, making 84 in the whole.

5425. Is much interest taken in these ward elections?—Yes; we had in May last contests in three of the wards.

5426. And at former elections?—We have generally had one or more contests. We have had elections without a contest, but as a rule we have had them in some of the wards.

5427. Are the elections carried on at ward meetings?—Yes.

5428. How many of the inhabitants generally attend these ward meetings?—At the last election, I think, the lowest number of votes for any person elected was 50; at the ward meetings there were as many as 100 and 110 votes; the next day at the poll we had as many as 500 voting in any one ward.

5429. Is much interest exhibited at the meetings?—Yes.

5430. Are the parties put in nomination, with speeches explaining the grounds of nomination?—Yes, and some of the old members are called upon for explanations. For instance, I have been asked with regard to some things that the inhabitants thought they had a right to complain of—the want of paving, the want of water, and so on. Questions are put before the election, and you are supposed to satisfy the persons assembled.

5431. If not, the parties are opposed?—They may be voted out.

5432. Is much inquiry made as to the attendance of the parties?—The attendance of every member throughout the year is published in the local paper, together with the number of meetings to which he has been summoned. We frequently find that those papers are held by those who attend the ward meetings, and if a person has only attended once or twice, it is considered useless to elect him, and some one else is proposed.

5433. That has been the general character of the proceedings for some time past?—The general character.

5434. What other boards exist in your parish for local administration?—The board of guardians, and the churchwardens and overseers form another board.

5435. By what authority are the churchwardens and overseers made into a board?—By the Act of Elizabeth they are the old corporation for the purpose of making rates and collecting them for removing paupers and assessing property.

5436. Is there no local Act under which they proceed?—There is no Act under which they proceed except that we had a Local Act previous to the Metropolis Local Management Act, which was called the Lighting Act; that gave very little power; it only empowered the Lighting Board to raise an amount equal to 1 *s.* in the pound per annum, chiefly for lighting purposes. Another board has some duties with regard to compounding for property, but the whole of their duties were transferred to the vestry, leaving the churchwardens and overseers in their old authority for making rates and collecting them.

5437. How are they appointed now, by the inhabitants at large, or by the vestry?—The churchwardens are appointed by the vestry, the overseers are appointed by the magistrates upon the nomination of the vestry. Both the nomination and appointment rest with the magistrates, but they always defer to the selection presented to them by the vestry.

5438. You have also a board of guardians?—Yes.

5439. Are

5439. Are they elected under the Poor Law general order?—They are, by voting papers.

5440. In fact, the Local Act has altogether ceased, except for some very minor purposes, such as the election of beadles, or something of that sort; practically it has ceased to have any authority.

5441. Are many of the members of the vestry also members of the board of guardians?—They are.

5442. Can you say how many?—I should say two-thirds.

5443. Members of both boards?—Yes.

5444. Can you give a general account of the position in the parish of the persons constituting the vestry?—I suppose about 20 per cent. of our vestry are gentlemen who have retired from their business or their professions, not being in any business at all now. We have three or four medical men, two or three solicitors, and two architects; the rest are chiefly tradesmen.

5445. Are the tradesmen in a large or a moderate way of business?—They are, taking them generally, as respectable tradesmen as there are in the parish.

5446. Are their premises generally rated above the qualification?—They are generally rated high; some are manufacturing premises and some trading premises.

5447. Do you think that the board is a fair representation of the general character of ratepayers?—I do.

5448. Is the attendance at the meetings reasonable?—It is exceedingly good; out of 84 we average between 50 and 60.

5449. Have you committees?—We have three committees; one for finance, one for highways, and one for sewers and nuisances

5450. Is the attendance at the committees also reasonable?—The attendance at the committees is very good.

5451. Do you find that your numbers are inconveniently large for the transaction of business?—No, a considerable amount of our business is done in committee, we have a number of our members who are not talking members, and we get through the business very well.

5452. Is the whole board divided into three committees?—No, the three committees are composed of 15 members each.

5453. Do you take any means to notify the impending elections beyond those prescribed by the Act?—Yes. The Act only requires us to put notices upon the church doors, but, in addition to that, we put notices at the end of almost every street in the hamlet.

5454. Those notices are pasted about on the walls?—Yes, we do not put them in the ordinary places where bills are generally stuck, but at the ends of the streets on private property. The elections are very generally notified.

5455. Do you take any means to make known your proceedings to the ratepayers?—We publish our annual report.

5456. Is that circulated much amongst the inhabitants?—Every ratepayer is entitled to a copy on the payment of twopence. There are a considerable number that go about. We send copies to many of the principal inhabitants in addition to those who are in office.

5457. Do you receive many complaints in the course of the year of the state of the watching, paving, or lighting, in the parish?—Not now; we have done an immense quantity of paving since the board was established. The Metropolis Local Management Act found the parish in a very bad state with regard to paving, because the late Lighting Act confined the rates to 1*s.* in the pound per annum, which was not sufficient to do the work; they had no power to do the paving out of that fund, and there was a great deal to be done; I know that during one year, about two years after the vestry was established, we laid down upwards of 250,000 superficial feet of paving.

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5458. You think that you have not only carried on the current paving, but brought up considerable arrears?—Considerable arrears; in fact, there has probably been a greater amount of improvement in our parish than in any parish in the east of London, since the Metropolis Local Management Act, because it was in a very bad state before.

5459. Are any tolls inflicted on any portion of your parish?—There are tolls on two of the main arteries.

5460. One, I believe, is likely to be removed?—One ceases at the end of October.

5461. Is that the Mile-End turnpike?—Yes.

5462. The other great thoroughfare is the Commercial-road?—Yes, that toll will probably remain five or six years; there the term, according to the Act, would probably last seven years; but I hear that they are likely to pay off their debt somewhat before that time.

5463. Have you done much for the improvement of the drainage of the parish?—Yes, we have done a great deal, and are doing now.

5464. Is it now thoroughly drained?—Not quite, but we are doing it as fast as we can; we let a contract three or four weeks ago, which is now being carried out to the extent of about 1,000 *l.*; that is as much as we can afford at a time.

5465. Was there much arrear of drainage also when the vestry was established?—Yes, considerable arrears.

5466. Do you think that the arrears have been got rid of, to a large extent, as well as the current drainage maintained?—Yes; we have very little to do now in the way of arrears; with regard to paving, I should say that we have not anything; but we have a little to do in sewers.

5467. Has the house to house drainage kept pace with the street drainage?—Yes, I think it has; we have had a good deal of difficulty to enforce that, but I think we have done it very well.

5468. Has the board steadily endeavoured to enforce house to house drainage?—Always.

5469. And has it succeeded?—Yes. Of course, with regard to all new property, there are provisions for enforcing it. Before persons are allowed to build, their drainage must be approved. We have compelled a very large amount of old property to be drained into the new sewers; as we construct new sewers we compel them to drain into them.

5470. That has been generally carried out?—Very generally.

5471. With some exceptions, are we to understand that there is now house to house drainage throughout the parish?—Yes, generally; there may be some exceptions, but I should say there are very few cesspools in our parish now; there were a great number when we commenced.

5472. Have you much property that is of a very poor character, in close narrow streets?—Not so much of that; we have a few long courts, and in the old or western part of the town the

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property is not so good as it is in other parts; but our streets are generally of a good width.

5473. Though the houses are small?—The houses are comparatively small; a large number of houses in our parish let for 24 *l.*, 25 *l.*, 26 *l.*, or 28 *l.* a year; they are situated in streets at least 40 feet wide.

5474. Are there any courts of a very close character?—Not many; there are a few in the old part of the town.

5475. Do you consider that there are any so badly constructed that they would be unfit for habitation, however small the number of inhabitants might be?—I do not think we have any houses of that description.

5476. Are the courts so crowded as to make them injurious to health?—I do not think they are. We have made great improvements in respect to them. We have in the Westward two or three long courts, which we have paved from one end to the other with flag pavement. That has much improved the character of the tenants. I believe it has induced much more cleanly habits on their part than existed before.

5477. Are these courts inspected by any officer of the board?—Yes, by the inspector of nuisances and the medical officer.

5478. Is the medical officer generally satisfied with the condition of them?—He reports favourably of the condition of the hamlet generally.

5479. Have you any reports of any parts that are in a bad state?—No.

5480. Have the inhabitants made many complaints during the last year as to the want of sanitary arrangements?—I do not think they have. The chief complaint we have is that the dustman does not very well perform his duty of taking away the dust.

5481. Are many of these small houses unprovided with dust bins?—They are not unprovided with the means of depositing their dust, because if they have not a dust bin at each house, there is one common to a number of houses; but there are very few of that sort. We have very little property in the hamlet without a space at the back of the houses.

5482. Is the supply of water sufficient for the inhabitants?—Some time ago we had a difficulty with regard to some places, but we have power now to enforce a proper supply, and we put the power in operation when necessary.

5483. Is the supply adequate?—I think the supply is generally adequate. Sometimes we have complaints that it is not long enough, but we find that a complaint made to the water company is generally attended to.

5484. Is it the practice of your vestry to communicate with the water companies when complaints are made?—Yes.

5485. You are aware that the Metropolis Water Supply Act allows a formal complaint to be made against the water company?—Yes.

5486. Have you ever had occasion to act under it?—No, we have not done so.

5487. Is it your opinion that to ensure a general supply to the metropolis it would be desirable that the vestry should undertake the duty of supervising the water companies, or that the metropolitan board should undertake that duty?—With regard to the supply of water and gas, I think it must certainly come into the hands of some municipal authority, because I do not believe that the companies can continue to supply properly, if there be an increase equal to that which has recently taken place in the population and in their requirements.

5488. Do you think that having regard to the relation of water companies and gas companies to the local districts, the supply of the one not being conterminous with the boundaries of the other, it would be desireable to put the whole thing in the hands of the metropolitan board rather than the local board?—It could not be done in the local boards.

5489. You think that there would be great difficulty in the local boards attempting to carry out any supervision?—I do not see that it is possible, because neither the districts of the gas nor those of the water companies are conterminous with the local management.

5490. You think therefore it would be necessary to put the whole thing into the hands of the Metropolitan Board of Works?—Yes.

5491. And you would leave the local board to make their complaints to the metropolitan board if there is anything wrong?—Yes.

5492. And the metropolitan board would have the duty of investigating them, and giving effect to them?—Precisely.

5493. Do you know whether any difficulty has been experienced in carrying out any of the sanitary provisions of the Acts in your parish?—Yes, we have difficulties; our officers frequently complain of the want of facilities afforded at the police court; we have had cases where we have seriously entertained the question as to whether we should communicate with Sir George Grey upon the matter; we have not found that assistance which we should have expected from the magistrates in our district.

5494. Have you considered what tribunal might be substituted for the police magistrate in dealing with these municipal questions?—We have been in favour of increasing the appellate jurisdiction of the Metropolitan Board.

5495. Have they a somewhat analogous jurisdiction with regard to all buildings in the metropolis?—For certain purposes; they have an appeal committee with regard to sewers work, in which they can settle disputes judicially as between the vestry and any person complaining of an order of the vestry; that appeal is confined mainly to works in relation to sewers.

5496. Have they not also an appellate jurisdiction in reference to buildings in the metropolis?—They have the first jurisdiction with regard to that; as to projections of frontages, the width of streets, the names of streets, and a number of things of that sort, they are the parties to determine, they do not go to the vestry at all, except by courtesy.

5497. Do you think, having regard to the present and increasing labours of the Metropolitan Board, that they are becoming rather onerous upon the individual members?—They have been ever since I was there.

5498. Do you think it might be desirable to extend the number, so as to have more committees, and relieve the individual members of very much trouble?—I do not know that extending the numbers would relieve individual members.

5499. Not if you divided the business more amongst committees?—I do not know that we could divide it more amongst committees than we do. We have, at the Metropolitan Board, three standing committees into which the Board is divided; all the general work of the Board under the

the Act of Parliament is considered by those committees, the finance committee, the Building Acts committee, and the works committee. All questions of the width of streets, the projection of frontages, and the naming of streets, are considered and reported upon by the Building Acts committee; all questions relating to small improvements which the parishes carry out, but to which the Metropolitan Board contributes, are considered and recommended by the works committee; and financial matters are considered by the finance committee.

5500. Are there not other duties that they have to perform?—There are other duties which are the largest duties to be performed, but they are performed by committees of the whole Board, and I presume that they would have to be so however large the Board might be.

5501. Might not the whole of the executive labours of the Board devolve upon separate committees, leaving to the whole Board nothing but the decision of general principles?—I do not think there is much of detail which occupies the attention of the Board; the greatest amount of labour performed by the Board is in relation, first to the main drainage, next to the Thames Embankment, and next to the streets. Those matters are considered by three distinct committees, all of which are committees of the whole Board. I do not see, however numerous the Board might be, that it would be possible to have those committees other than committees of the whole Board, for this reason, the Act of Parliament throws upon a committee the duty of purchasing property very largely, both for the Thames Embankment, and formation of new streets. It is essential that that committee should have full power not only to negociate but to determine, the purchase and sale of property. I do not think that the Board would ever consent to give to a portion of its members the absolute power of determining matters which involve an expenditure of sometimes a million of money in the course of the year.

5502. Are they not directed in the Thames Embankment Act to appoint a committee to carry out the Act?—Yes, but it is a committee of the whole Board. That committee may have, and probably will have, at its next meeting claims sent in to the amount of 100,000 *l.*, which the committee has to consider and determine upon. It would be impossible for the committee to go to the Board and ask their opinion as to whether they should give 1,000 *l.* more or 1,000 *l.* less for property, because, that being done at an open board, those who were negotiating would know precisely the feeling that existed, and whether it would be worth while to concede or hold out, as the case might be.

5503. Why should not a smaller committee undertake work of that sort, with all the powers requisite to carry it out?—I do not believe that the Board would ever delegate such large powers to a portion of its number, disfranchising, with regard to that part of the work, the remainder of the Board.

5504. If the numbers were larger, do you not think that they could select a competent body of 12, or some other number, to do the work?—I believe they could now. I believe you could select a competent body, say of 15 out of 45, and, I daresay, the 15 would do the work quite as well as it is done now; but I am certain that the other 30 would not feel satisfied in placing in the hands of one-third of the Board so great a power as that of expending the rate-payer's money to the extent of a million in a year.

5505. Are you aware of the mode in which the business is conducted by the Common Council of the City of London in that respect?—I do not think the Common Council of the City of London do anything in that respect, for it is done by the Commissioners of Sewers.

5506. With regard to improvements, do they not appoint an improvement committee, a small number of persons to carry out the whole work, involving perhaps a very large expenditure?—I do not know.

5507. I believe the Common Council contains about 200 members?—Somewhat more than 200.

5508. They are compelled by their number to depute their powers to a committee?—I do not think it would be satisfactory. I should not like representing what I conceive to be a large and important district, to have the whole of my district disfranchised, as it were, with regard of what I consider to be a most important part to the duty of the Board, the expenditure of these large sums of money. I should not object to it if it were possible that that committee could report to the Board, so that there might be an opportunity of dissenting from their proposal or agreeing with it; but if they are to possess the absolute power of deciding, it appears to me that every member of the Board should have the privilege of attending.

5509. There is no number, I think, fixed in the Thames Embankment Act for the committee which you were directed to appoint?—No; we were advised that it was in our power to appoint a committee of the whole Board or a smaller number. It is the same with regard to all the new improvements; the new street, Whitechapel, improvement, and the Southwark-street improvement.

5510. Have you considered the relative advantages of the different modes of election for guardians and members of the vestry?—Yes.

5511 Which do you think the best and most convenient?—I do not like the mode of election for the guardians at all. I think it is attended with very bad consequences; as it is carried out, it is subject to very great abuse, and it is not at all satisfactory.

5512. If one mode were adopted, you would prefer that of electing the vestry?—I think every person who is nominated for a position in the local management of any district, ought to be nominated before the persons who have to elect him; he ought to be questioned by them, if they think proper to question him, and he ought to be enabled to make his statement if he desires to do so. But with regard to the guardians, any person may go and nominate any other person. Of course the person nominated can resign if he likes.

5513. I believe, under that system, anybody may be voted for without having been primarily nominated at all?—No, he must be nominated in writing.

5514. Before the polling-papers are sent out?—He must be nominated in writing between the 14th and the 26th of March. The polling-papers are issued on the 6th, and collected on the 8th of April.

5515. Do you think it would be desirable to enlarge the area of the local government of your

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neighbourhood by uniting one or more of the vestries and boards?—I do not think it would be, our parish is quite large enough. I am quite certain that if it be necessary to devote as much personal attention to the parish as is devoted in ours, it would be impossible to do it, if we had a very much larger area. Our committees inspect almost every piece of work before it is finally decided upon; whether it be a question of sewer work or of paving; in fact, we scarcely put a new lamp up without going to look at the spot, and directing where it shall be. I do not think that amount of attention could be paid if the area was very much increased.

5516. Do you recollect the acreage of your parish?—I think it is about 680 acres; and the number of inhabitants is 80,000.

5517. Is the parish completely built over, or is there much vacant ground?—Not much; perhaps there are 20 or 30 acres not built upon.

5518. Lord *John Manners.*] You have said that if the work at present discharged by the Metropolitan Board as a committee was discharged by smaller committees, you think those members who were not placed on the specific committees would feel dissatisfied; can you tell us what, in your opinion, would be the feeling of those whom they represent?—I think they would be dissatisfied. I am quite certain if a committee of the Metropolitan Board existed, which had the power to expend money without coming to the Board itself, if I were not a member of that committee, I should be dissatisfied, and I think my constituents would be dissatisfied also.

5519. You think the present system gives more general satisfaction than one which would be substituted for it in the way proposed?—I do.

5520. *Chairman.*] If the committees reported to the Board from time to time, do you think that would obviate the want of confidence?—Yes; in anything which the committees can report to the board, a small committee is an advantage. With regard to the formation of streets, the projection of the line of frontage, questions of finance, and other things where the committee make recommendations to the Board, the whole Board has the privilege of discussing them, but I am speaking of those things that are the most onerous part of our duties, and which occupy the greatest amount of time. They are things which the committee must settle, and cannot report to the Board upon. For instance, if a person claims 20,000 *l.* for his property, and our architect advises us that it is not worth more than 12,000 *l.*, a question arises, shall we go to a jury, shall we go to arbitration, or shall we negotiate. By a system of negotiation we may bring that person's claim down until he accepts the amount; but if we had to go to the Board, and say, "Our estimate is 12,000 *l.*, and he claims 20,000 *l.*; will you authorise us to offer 12,000 *l.* and to go as far as 14,000 *l.* if we can settle it without litigation;" the whole thing would be out; the person would know how we stood, and what our feelings were; so that we never could carry on that part of our business.

5521. Would not that sort of business be better carried on by a small committee than by a committee of the whole Board?—In the first place, we have never experienced any inconvenience from the number attending our committees, on matters of that sort, and in the next place, as I said before, I do not think it would be satisfactory to the others if a small committee were to do the work.

Mr. George Henry Drew, called in; and Examined.

Mr. *G. H. Drew.*

5522. *Chairman.*] Are you a Vestry Clerk of the parish of Bermondsey?—Yes, and I have been desired by the vestry to attend to give evidence as to some difficulties that they have met with in carrying out their duties.

5523. Will you state the difficulties that you have experienced?—The principal difficulty we meet with is in the delay. Nuisances, of course, ought to be dealt with at once, but we meet with great delay before the magistrates. In the first instance, the magistrate requires on the hearing of the summons, and sometimes even before granting it, that we shall produce to him the minutes of the vestry, signed. Now the vestry meets only once a fortnight, and the minutes are not signed until the next meeting. Of course that causes a delay of at least more than a fortnight, and during that time the nuisance may go on and do great damage.

5524. Are there any other difficulties that you wish to mention?—We do not find the police court a satisfactory tribunal at all. I wish to speak with great respect of the magistrates, but I think they do not like to have the business of the carrying out of the Local Government Acts put upon them. We find that they are very unwilling to make orders; they will, perhaps, adjourn a case from time to time in the hope that the person complained against may remedy the evil complained of, and they will not make the stringent orders which we wish, and which are really wanted to carry out the Acts.

5525. Do you think that the vestry is discouraged by this course of conduct on the part of the magistrate in carrying out the Act?—No doubt of it.

5526. Do you find any other difficulties?—Our population was at one time almost entirely a manufacturing one, occupying part only of the parish, the remainder being used principally as market garden grounds. These are now being used as building ground, and the parish is becoming thickly covered with houses. Some of the old manufactures that are carried on create nuisances, and others brought there lately, such as manure manufactures, are really not fit to be in any inhabited place. We find great difficulty in dealing with such manufactures, manure manufactures for instance, it is very difficult to prove that they are nuisances; the materials are coprolites and sulphuric acid, which are not a nuisance until they are mixed. The medical officer and the inspector go to the place, which they find to be clean and without any nuisance; but during the night, perhaps, or some time when they are not there, these ingredients are mixed together, and create a great nuisance; the Act does not provide for that at all; the 27th clause of "The Nuisances Removal Act, 1855" provides against manufactures causing effluvia, and it has this saving clause, "That if it shall appear to the justices that the trade or business carried on by persons complained against is a nuisance, or causes any effluvia injurious to the health of the inhabitants

bitants of the neighbourhood, and that such person shall not have used the best practicable means for abating such nuisance, or preventing or counteracting such effluvia," he is to be fined; that gives a loophole to these persons and enables them to say that they have taken all the means they could to prevent effluvia, and very slight evidence will induce the magistrate to postpone the summons to enable the persons complained against to do more than they have already done. Still the nuisance goes on, and we cannot prevent it; we think that the clause ought to be altered, so that power should be given to the local authority instead of to the magistrates to make orders.

5527. Do you mean, that where the question of whether it is a nuisance or not is controverted, you should make the order?—We think we should.

5528. Lord *John Manners.*] With an appeal?—We think there should be an appeal certainly, but not an appeal to a magistrate sitting in a police court.

5529. To what tribunal would you give the appeal?—I think there would be quite enough of business for a separate tribunal for such cases.

5530. *Chairman.*] Do you mean a separate court to watch over these matters?—Yes, I think there would be sufficient business for it, and we should get uniformity of practice, whereas, at present, almost every magistrate has a different idea on the subject.

5531. Where you wish to abate a nuisance, and the party denies that it is one, you can only do it by an indictment at the sessions?—That is so in effect, because of the saving provision I have mentioned.

5532. And if you had one sessions for the metropolis, you would have one tribunal to which to go?—But that is a slow process, and attended with great expense.

5533. Would you take a step that would destroy, or might have the effect of destroying a large property without the owner having the right to try the question before a jury?—I would not do that, but I would give him the power of appeal to some competent tribunal.

5534. You are aware that in all cases he can stop proceedings if he enters into recognizances to appear to an indictment, and pay the expenses if he is convicted?—Yes.

5535. Would you deprive him of that right?—I think so, if he is to go to the sessions to be indicted, because of the delay.

5536. Do you think it would be practicable to give power to the vestry to take a step which would destroy a man's property without his having an appeal to a jury in a court of justice?—He should have an appeal, but I think it should not be delayed to the sessions, which might not sit for a long time.

5537. Instead of the indictment, you would allow the person to appeal to quash the order?—Yes.

5538. And have it tried upon that issue, rather than upon the indictment?—I think so.

5539. Then suppose he was very seriously injured by his business being stopped by the order, would you have the vestry compensate him in damages?—Perhaps that would be right, but even so I think the vestry ought to be sufficient judges of that question.

5540. I mean the ratepayers; if they insisted upon stopping a man's business, and inflicting great injury upon him, if they had done that without cause, would you impose upon them the burden of paying him damages?—I think that would be only fair.

5541. It would be a necessity, would it not?—Yes; I think it would be.

5542. You think that would be a preferable plan to the present, of indicting him, and making him pay the expenses if convicted?—I think so; I am sure the injury to the inhabitants of Bermondsey from these nuisances has been greater than any compensation they would have been likely to pay in the supposed case.

5543. Lord *John Manners.*] If, instead of the present system, you give the power, in the first instance, to the vestry, with a speedy appeal to some newly-constituted tribunal, would the question of compensation arise; would not the nuisance remain until the appeal had been decided?—If the appeal was made immediately, no question of compensation could arise very well.

5544. *Chairman.*] That is, if you let the thing go on while the appeal was pending?—Yes.

5545. Lord *John Manners.*] Have you ever contemplated the Metropolitan Board as a Court of Appeal?—Yes; I think that would not be an unsatisfactory tribunal.

5546. There you might have the appeal speedily heard and decided?—Yes, but I fear that they have already as much as they can do, and that we should not get speedy justice.

5547. If they were enlarged, and had more committees, they could do any quantity of work, I suppose?—Yes.

5548. That would not be an objection, then?—No.

5549. Do you think that the owners of property would submit to converting the Metropolitan Board into a tribunal to dispose of their rights?—They might have an objection; but I still think there might be constituted a satisfactory tribunal for the trial of all such cases as arise out of these local acts.

5550. There is a difference between the abatement of petty nuisances which do not really affect the rights of property, and the abatement of nuisances which practically affect the whole value of the freehold, and the enjoyments upon it?—No doubt.

5551. Lord *John Manners.*] You would propose to establish a new tribunal for that express purpose?—I should like to see that very much; there are many questions besides nuisances arising under the Local Management Acts.

5552. *Chairman.*] Have you any further suggestions to make?—In questions between vestries and water companies, I think it would be desirable to have some tribunal to decide. We are very anxious to get a constant supply of water, and we do not see our way to get it. The Company do not like to give it us.

5553. Have you made formal applications to the Company?—Yes.

5554. Have you more than one company in your parish?—The Southwark and Vauxhall Company supply the whole or nearly the whole of the parish.

5555. There is another company?—I think there is.

5556. They have declined to comply with your request?—Yes.

5557. Have you made any application to the secretary under the Metropolis Water Supply Act?—We did as to the impure supply of water, and the Secretary of State sent down a gentle-

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man from the Board of Trade, and compelled the Company to make a new filter, the consequence of which was that for some time the water was much more pure.

5558. And you get redress under that as regards your complaint?—Yes.

5559. But with regard to the constant supply, have you made any complaint?—Not to the Government.

5560. Have you considered the propriety of making any complaint to the Secretary under the Act?—We thought that the clause which is the compulsory clause was so difficult to work that we have not tried it at all, and we did not think that until we had tried it we could properly go to the Secretary of State. We think that the clause ought to be altered.

5561. To what clause do you refer?—The clause in the Metropolis Water Supply Act of 1852, which provides that the company must give a constant supply if four-fifths of the persons supplied by any main require it of them; but then they have the power to regulate all the apparatus for the reception and distribution of water. We thought that was very difficult in the case of a company wishing to avoid giving a constant supply, and we have not been able to get four-fifths of the inhabitants supplied by a main to sign a requisition.

5562. Does the difficulty consist in the company having the absolute discretion to regulate the apparatus in houses, and the want of some body to supervise that matter?—I think so, and that on this point there ought to be some tribunal to arbitrate between the vestry and the water company.

5563. So that it should not rest with the company alone to determine what domestic arrangement should be made consequent upon a continuous supply?—Yes; the company say that a constant supply is impossible in their district, and we think that that should be tested. They tell us that it has been found impossible in every town in which it has been tried. We wrote to the different towns where we heard that there was a constant supply, and we found that it was fully answering in many large cities, for instance Manchester, Glasgow, Dundee, York, Derby, Durham, and Nottingham.

5564. You have never been able to bring them to the test, owing to the difficulties you have mentioned?—We have not.

5565. You think it would be desirable that there should be somebody to superintend these water companies, and determine the questions between them and the inhabitants?—We think so.

5566. What body would you propose?—I should like to see such a tribunal as I have referred to.

5567. Do you think the Metropolitan Board could perform that duty?—Yes, if they had the time.

5568. Still, you think they have enough to do?—That is our experience.

5569. Have you become acquainted with the Committee of the Privy Council?—No.

5570. You know nothing of its constitutional action?—Not practically.

5571. Is there any other point on which you wish to give evidence?—Yes, with regard to gas and water companies opening our streets and pavements. They have powers which interfere very much with our paving, and they exercise them without consulting us.

5572. Have you not power to require them to restore the paving, and to take certain precautions whenever they open the streets?—We have power to do the work of restoring the pavement, and charge them for it.

5573. What further power would you have to control them?—We desire that they should not open the streets without our consent.

5574. Could that be so consistently with the exigencies of the companies; in case there was an escape of gas or leakage of water, how could they manage if they were dependent upon your consent to remedy that?—In that case they should, of course, have the power to open the street immediately; but frequently, soon after we have finished paving a street, they come and take the whole of it up to lay a new line of pipes.

5575. How would you obviate that if their pipes required to be relaid?—They might give us notice long before; they must know that they are going to do it.

5576. Where they intend to renew their pipes you think there ought to be considerable notice given to you, so that you might consider the expediency of relaying the road at the same time?—I think they ought at least to do that; they must, of course, have power to remedy casualties.

5577. Can you state, generally, whether the inhabitants of your parish are satisfied with the administration of affairs, or are there many complaints?—There are not many complaints. The parish is divided into four wards. In two wards we have lately had every year a contest for the election of vestrymen.

5578. What does that arise from?—I think not from any real ground of dissatisfaction, but from a wish on the part of the inhabitants to be represented in the vestry by particular individuals.

5579. Does that arise from any dissatisfaction with other individuals as to their conduct or station?—Yes, to some extent; and then individuals wish to be members of the vestry, and put themselves forward, and their friends vote for them, so there is a contest.

5580. Considerable interest is taken by the inhabitants in the administration of the affairs of the parish?—There is no doubt of it.

5581. Are the vestry a fair representation of the class of persons who live in your parish?—Not quite; I think the large manufacturers and wharfingers are not sufficiently represented.

5582. Why is that?—Principally because they do not care to act in the vestry.

5583. Have there ever been cases of their being proposed as candidate, and rejected?—There may have been a few cases, but there have been cases where they have been elected vestrymen, and have only attended once or twice in the year.

5584. Then their names are struck off because they were not present?—They have not been again elected.

5585. You think it is only their disinclination that prevents their being elected?—I am sure, if they wished to be members of the vestry, they would be elected.

5586. Is there any other class not sufficiently represented?—I cannot name any other class not sufficiently represented; but I think that the builders have a greater number of representatives in the vestry than any other class.

5587. Persons connected with the building trade?—Yes.

5588. Do you find that they exercise any influence

fluence over the proceedings of the vestry in dealing with small properties?—I think they do exercise an influence; I will not say an improper influence, because I believe all the members of the vestry act very honestly.

5589. Has your vestry been energetic in dealing with the small properties to abate nuisances?—I think they have done their best.

5590. Have they effected much in that respect?—A great deal.

5591. Was there much back work to be overtaken when the vestry was first appointed?—A great deal.

5592. Has that been done?—Yes, the parish is in a very different state to what it was.

5593. Is it complete in its paving and drainage?—No; because there are large spaces which are being built upon; there are also many courts and alleys which still require improvement, and which have not been dealt with on account of the expense.

5594. Are you going on with the improvement of them?—Yes, we have a list of courts which are to be done as soon as the money can be provided.

5595. When do you expect a complete improvement of those courts and alleys?—I think, at the rate we are going on now, four or five years will complete them.

5596. You think that the present rate of expenditure is as much as the parish can bear?—I think so.

5597. Is there a large number of those small courts and alleys, as compared with the rental of the parish?—Yes, certainly.

5598. Mr. *Mill.*] Do you think that your district is as large a one as can be advantageously managed by the same body, or have you turned your attention to any of the proposals that have been made for forming larger districts, in one of which your district would be included, and having a municipal administration for that larger district elected in the same way as at present, by the ratepayers?—I do not think the present body could with advantage administer a larger district than it does now.

5599. It would require a more numerous body?—Rather a body of better capacity.

5600. Do you think it would be likely if a larger district were embraced in its sphere of operations, that persons of superior capacity would be more disposed than at present to act upon the Board?—I think there is no doubt of it.

5601. So that on the whole you think there would be probably a more capable administration for the larger district, although the present one may be adequate to carry on its operations in a tolerable manner?—I think probably that would be so; whether it would be desirable or not I do not say.

5602. Have you formed any opinion whether it would be desirable?—I think so far as the parish is concerned that it is very well administered by the men who now administer its affairs. It is much to their advantage to have to administer the affairs of the parish in the way they do.

5603. In what respect to their advantage?—It is an advantage to them to have to administer their own affairs.

5604. Do you mean that their affairs are better attended to in consequence, or that it is an exercise to them?—It is an exercise to them, whether any larger body with a larger area might administer the affairs of the larger area better, I have not formed any opinion.

5605. The exercise of mind would be still more valuable in that case?—But in that case you would not have the same class of men to administer the affairs of the district.

5606. You would have some of the same class and others of a superior class, would you not?—Not knowing what the mode of election would be, I cannot say.

5607. Supposing the election was by the ratepayers, as at present, in different wards it would naturally happen that the Board would have a more mixed composition, and do you not think that the acting in concert with persons possessing still higher qualifications than those who now act, would be a great advantage, and that the exercise of those functions would be a greater means of improvement to their own minds than they have at present?—Without doubt. I think that is what we want in the vestry of Bermondsey; an addition of persons of a superior class. They are now apt to be led by one or two men who have rather more knowledge of public affairs than the rest, and not always, perhaps, in the right direction.

5608. *Chairman.*] Do you think that the area of administration for the purpose just mentioned should be enlarged to the whole borough of Southwark?—Southwark would not be too large, I think, for one body to manage.

5609. Do you know whether the subject has been canvassed in your neighbourhood?—I do not think it has, certainly not in my vestry.

5610. Lord *John Manners.*] How many distinct local bodies are there in the borough of Southwark?—Bermondsey, Rotherhithe, and Saint Olave's district, Saint George's, Southwark, and Saint Saviour's district. I may say with reference to the question put to me as to whether the subject of these municipal corporations had been discussed, that I applied for a copy of the Bill, wishing to bring it before the vestry, but I was not able to get one.

5611. Have you any local act in force in your parish?—There is an act for the governors and directors of the poor.

5612. By whom are they elected under the local Act?—By the vestry.

5613. The Board has nothing to do with the vestry?—Except that we make orders upon them for the payment of the rates.

5614. Do they assess and collect the rates, or is there a separate administration for collecting?—They assess and collect the rates.

5615. Do you know how they are elected?—By show of hands at the vestry.

5616. Is it under the local Act?—Yes.

Thursday, 5th July 1866.

MEMBERS PRESENT:

Mr. Ayrton.	Mr. Alderman Lawrence.
Mr. Knatchbull Hugessen.	Mr. Mill.
Mr. Kekewich.	Mr. Tite.
Mr. Locke.	Mr. Turner.

ACTON SMEE AYRTON, Esq., IN THE CHAIR.

MR. DUGALD EDWARD CAMERON, called in; and Examined.

Mr. *D. E. Cameron.*

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5617. *Chairman.*] WHAT are you, and where do you reside?—I am a Solicitor, and my office is at 19, Buckingham-street, Adelphi.

5618. Are you connected with the local government of the metropolis?—I have been a member of the St. Pancras Vestry ever since the Local Management Act passed, and for two years I served the office of churchwarden.

5619. Mr. *Mill.*] Have you been a candidate to represent St. Pancras at the Metropolitan Board?—Yes, at the last election in June.

5620. Are there any circumstances connected with that election which you wish to state?—The peculiarity of the election, if it can be so called, is this: the last member retired by rotation; and 12 months previously to his retirement, promises from individual members of the vestry were extracted before it could possibly be ascertained who were the candidates, in order that the members of the vestry might make a selection.

5621. This was at the election previous to that at which you were a candidate?—A different course of procedure took place at that election. Mr. Josiah Wilkinson had been a member from 1856 to 1864, and, prior to his seeking for re-election, solicitations were made to individual members of the vestry requesting them to sign a requisition to another candidate to come forward, and promising their support. The majority of the 123 vestrymen was obtained to that request, before it could be known even to Mr. Wilkinson or his supporters that there was any opposition to his re-election, consequently he was taken very much by surprise, because he had as a general rule given immense satisfaction as a representative to the Board. He had rendered eminent services to the Board at its first formation, having acted as honorary secretary, and put the Board, in fact, into working order.

5622. *Chairman.*] What Board are you speaking of?—The Metropolitan Board.

5623. Mr. *Mill.*] Were any public grounds of opposition to Mr. Josiah Wilkinson stated?—Not any public grounds. The most public ground that I can recollect was very frivolous, namely, that all the honours should not be centred in any one individual for any lengthened period; that, however eminent and desirable his services were, a change, whether for the better or worse, should take place.

5624. Do you think that, on that occasion at any rate, the election was carried against him rather by a private intrigue than by a fair public opposition?—Completely so, because several members of the vestry who had signed that paper, told me afterwards that they had little idea that they had pledged themselves to give their votes, that they only intended to solicit Mr. Taylor to come forward, not that they had pledged themselves to vote for him in opposition to Mr. Wilkinson. In fact, great misapprehension prevailed on the subject. It was supposed that because the term of office of Mr. Wilkinson was about to expire, he would not be a candidate for the next election.

5625. Do you suppose that any undue influence was used, or that any undue influence was used to induce these vestrymen to give their promises?—I am not prepared to say that.

5626. You were a candidate last June for the purpose of counteracting this system?—Yes; knowing that I should suffer defeat, if it could be so called, I was determined, as far as my influence could prevail, to caution the members of the vestry against placing themselves in such a position in future. Many of them had come to me and stated that they had given their promise 12 months before; that whenever an opportunity was afforded at a meeting of the vestry, or it might be a meeting for beating parish bounds, or any similar occasion, the gentleman seeking election would say to them, "Will you give your vote at the next election?" When I came forward, of course I was told that I was too late, but I ventured to reply to that by stating that it would be unfair to present yourself as a candidate a year prior to the election, when, perhaps, the gentleman who was the sitting member had been a member for two years; perhaps not taking any prominent part, still feeling his way, and, possibly, the third year he might render essential service, of such a character that it would be unfair to present the slightest opposition to him.

5627. You think that the sitting representative of your vestry in the Board of Works made use of his position as a means of canvassing for re-election?—The member of the Board of Works is not necessarily a member of the vestry, but he is generally so, and by means of contact with other members he has, in that way, the opportunity of pursuing that system.

5628. Should

5628. Should you propose, with a view of obviating occurrences of this kind, any change in the mode of electing members of the Board of Works?—I think that the election is very unsatisfactory in one sense, and the ratepayers from whom such large sums are paid for the metropolis should have vested in them the right of election. It has been said that the expense would be so great as to prevent any gentleman seeking election, but I cannot see that that is a sufficient objection; because the expense for the election of vestryman is nothing, and the election of a member to the Metropolitan Board of Works might take place at the same time, and the expense come out of the same parochial funds; the members of the vestry have no expense whatever to incur, and if the election to the Metropolitan Board was under the same management, the objection as to expense would not apply.

5629. You think that the ratepayers might vote for the vestrymen and for the member to the Metropolitan Board of Works at the same time?—I think that might be effected.

5630. In what way should you recommend the votes to be given; by voting papers or by a poll?—I think voting papers would be preferable to the present system of electing vestrymen; very few persons take the slightest interest in the election at present, and it is limited to a very few persons; any names that 10 or 12 gentlemen may select are sent to the electors, and when the election takes place, perhaps 20 or 30 persons decide who shall represent the different wards of the parish.

5631. Do you think that if the ratepayers were called upon to nominate a member of the Board of Works at the same time as the vestry, a greater and more general interest would be felt by them in the elections?—I think so, for this reason, an election for one-third of the vestrymen takes place annually, but the election for a member to the Metropolitan Board of Works would only take place triennially. I think it would bring the ratepayers, in some measure, to look to the importance of the representation in both Boards, the vestry and the Metropolitan Board.

5632. You find that the interest taken by the ratepayers in the election of vestrymen at present is not great?—Very little indeed. At the election in 1856 in our parish it was very great; and there was a desire on the part of persons of different status in the parish to come forward and do something under the Metropolitan Local Management Act. They succeeded, to a great extent, but, by degrees, they have left the vestry, or been defeated, and now another class of persons, of a different status altogether, represent the ratepayers. But even the vestry, as at present constituted, have felt their deterioration so much, that they now desire to elevate themselves by getting other and more influential gentlemen into the vestry. At the last election, in one ward, two magistrates were elected; no opposition took place, but there was a general desire of improvement felt.

5633. If I understand you, a kind of reaction has set in now, and a greater interest is taken in the elections?—Not among the ratepayers, but amongst the members of the vestry themselves; they would like to elevate their position by getting a superior class of men among them.

5634. Do you ascribe that want of interest, on the part of the ratepayers, merely to the fact that the novelty has worn off, or to mere general apathy and indifference, or is it because they are satisfied with the way in which the parish is managed?—I think it arises from apathy and indifference, and the trouble that it takes to record their votes, by going to the polling booth, or any other place appointed for the reception of votes.

5635. Do you think if the district were enlarged, if, instead of a parish, it were a municipality, embracing, for instance, the whole of a Parliamentary district, that there would be a greater interest in the election felt by the ratepayers?—It is difficult to answer that question by anticipation; if there were a popular out-of-doors election, or anything of that description, I think the same class would occupy positions in the municipality that they do now in almost all the vestries.

5636. What means would you suggest by which a greater interest could be excited, or a superior class of persons could be induced to become candidates?—By mean of papers left from house to house, as in the case of the guardians

5637. Would you propose that as a means of inducing a greater number of ratepayers to vote?—Yes, I think it would have that effect.

5638. Do you not think that there would be some danger that those who did not sufficiently care about the subject to vote at all unless the voting paper was sent to them at their houses, would be willing, if it were sent to them, and they could vote without trouble, to vote almost for anybody who asked them?—No, I do not know that would be the case; I think they would be more likely to communicate with their immediate friends, and ask them what they proposed doing with reference to the election, so that the subject would be more ventilated.

5639. You think that leaving voting papers at the houses with lists of candidates would excite conversation, and so create a greater interest in the subject, and that people would be better able to concert together?—I think that would take place.

5640. You think, perhaps, that under the present system the generality of the ratepayers never have their attention called to the fact that there is an election at all?—That is the case in our parish; there is a ratepayers' association in every ward; they call public meetings of the ratepayers, but the apathy is so great that not more than 100 persons ever attend any gathering of that description, and, perhaps, two-thirds of those are not ratepayers.

5641. Do you think that leaving a mere notice of election, with a list of candidates, at the house of every ratepayer, would have the same effect in drawing attention to the subject as leaving a voting paper?—You must send a list of candidates with the voting paper.

5642. Suppose that the voting were to take place in the way in which it takes place now, but that lists of candidates were left at the houses of all the ratepayers, so as to make them aware more certainly than they are now that an election is coming on, or that the election is to be contested, do you think that this would produce the same effect on their minds in exciting an interest in the subject, and inducing them to ask questions about it, as if voting papers were left at their houses to be filled up?—I think not nearly so much interest, because it is even a trouble to them on their way to the City to go and give their vote, and perhaps if they all did so in the morning, there would be such a rush that the poll could not

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not be taken sufficiently quickly, and they would object to spend a quarter or half-an-hour of their time; the poll concludes at four o'clock, so that on the return of those persons, even if they desired to vote, they would not be able to do so.

5643. Many persons are prevented now by the inconvenience of voting, which would be removed by means of voting papers?—That is my opinion.

5644. Suppose that instead of a single parish there were a municipality, co-extensive with one of the Parliamentary districts, should you think that this would be an inducement to a superior class of persons in education or social position to become candidates beyond what can be expected at present?—I am hardly sufficiently acquainted with municipalities generally, but I think in such a parish as St. Pancras, where most of the gentlemen are mere residents in the squares and places of that description, having their business elsewhere, they would not care much about forming part of a municipality, any more than they do about becoming vestrymen; yet I think it would be desirable that something of a character should be given to the office beyond that of a mere vestryman; it would perhaps have a beneficial effect. There is an idea about a vestry that is not very palatable to the minds of people in the metropolis; and I think something might be done to raise its character.

5645. You think greater dignity might be given to the office?—I think so. The term "vestryman" conveys an imperfect idea of the duties under the Metropolis Local Management Act.

5646. Possibly also more extensive duties might be confided to a municipality than would be entrusted to a vestry, although the duties of the vestry are now considerable?—They are quite beyond the original intention; the sewers, lighting, and other sanitary matters, are quite beyond anything that was intended for vestry purposes.

5647. If municipal bodies were created for districts equal to, or nearly equal to, Parliamentary districts, are there any additional powers which you think might be advantageously entrusted to those municipalities?—I think if they could have the control of gas and water it would be an advantage; and I think also that they ought to have the rates arising from carriage duties; in fact, if it be a municipality in reality, it ought to be so, I venture to think, as regards taxation and the means of support.

5648. Supposing there were, in addition to these municipalities, a general body for the whole metropolis, either constituted on the basis of the City of London, with its jurisdiction extended and its constitution enlarged, or on the basis of the Board of Works, should you think that these duties, with regard to gas and water supply, would be better entrusted to the separate municipalities, or to the general one?—I think to the general one.

5649. Are there any other changes that you would suggest, from your experience of the local management of the metropolis?—I have not considered any.

5650. Is there any other statement you wish to make?—No.

5651. Mr. *Kekewich.*] Are the members of the Metropolitan Board of Works elected by the vestry?—Yes.

5652. You prefer that they should be elected by the general body of ratepayers, and elected by voting papers?—I think that would be preferable.

5653. Do you think that there would be any strong political feeling entering into those elections?—Not any.

5654. You think that the ratepayers would choose the men best fitted for the purpose?—Yes, I do not think that politics would interfere with the election of gentlemen, either to the vestry or to the Metropolitan Board of Works.

5655. And if the members were so elected, you think the election would be a fairer one than the election as at present by the vestry?—Quite so; even in the vestry I do not believe that political feeling is exercised, as regard the candidate. In electing a member to the Metropolitan Board of Works his political opinions have no weight one way or the other.

5656. Mr. *Tite.*] Who represents the vestry of St. Pancras at the Metropolitan Board of Works?—Mr. Healey and Mr. Silas Taylor.

5657. I suppose either of those gentlemen would possess considerable influence wherever they happened to be in any public body?—Not necessarily so.

5658. You do not think that they are men of the highest order?—Not men of the highest order, but I would rather not make a comparison.

5659. I wanted to know their social status, which leads to their being elected?—There is no doubt that the gentleman who was defeated at the election in May 1864, was of a much higher status than the gentleman who succeeded him.

5660. Do you refer to Mr. Wilkinson?—Yes, he is a member of the Bar, and practises before the Committees of the House.

5661. He is employed as counsel?—Very frequently.

5662. Who was elected in his place?—Mr. Taylor.

5663. To what do you attribute the circumstance of his being elected?—Mere personal pique, or it may be the reason which I gave just now, that the honours should not be continued in any one individual for any lengthened period.

5664. Do you think that Mr. Silas Taylor, who was elected in his place, participated in that feeling?—He not only participates in it, but expressed it as his opinion at the time of his election.

5665. He thought it was fair that those honours, such as they might be, should be divided?—Yes; that they should not be vested in one individual for too long a period.

5666. Was there anything wrong in that footing?—In my mind, if a gentleman renders services and those services are desirable and eminent, and no dissatisfaction exists with regard to them, I think he ought to be re-elected.

5667. That would be a mere re-nomination it would not be the exercise of any opinion on the subject; it would simply be taking a man and continuing him?—Until you found a better one, or until he caused some dissatisfaction.

5668. There must have been some cause of dissatisfaction in Mr. Wilkinson's case; what is the number of your vestry?—One hundred and twenty-three.

5669. I imagine a gentleman could not be ousted unless there was some reason for it; it could not be a mere feeling of jealousy?—You would hardly suppose that would be the case, but it really was so in that instance.

5670. In

5670. In your opinion?—In my opinion and in the opinion of very many others.

5671. Was the majority large?—I think it was upwards of 30; I believe the numbers were 64 to 32.

5672. That surely could not be from a feeling of jealousy, or a disinclination to continue a man in an office which he had been eminently qualified to fill?—If any member of the vestry who had acted as churchwarden, or held any other position, went to private friends with whom he was in constant contact, and said, "Will you support so and so"? that would be regarded as a personal favour, and the person asked in that way would be almost sure to say yes, and sign his name.

5673. Does not that apply to the much more important office of a Member of Parliament; a man may have performed all his duties very satisfactorily, and yet a feeling rise up in the minds of his constituents that a change is desirable; is not that very common?—There is a great difference with regard to the election of Members of Parliament; that is a political question.

5674. But throwing political questions aside?—A gentleman is elected on account of his Conservative or Whig or Radical opinions, whereas in the election of members to the Metropolitan Board of Works no political feeling is supposed to influence your vote; you select the person whom you think to be the fit and best representative.

5675. What is Mr. Silas Taylor; I believe he is a gentlemen of considerable attainments?—He is a retired builder.

5676. A man of fortune?—A man of means, I believe.

5677. Are not the qualifications of a builder of eminent use in the questions which come before the Metropolitan Board?—No doubt.

5678. And much more important perhaps than the local qualification which the other gentleman enjoys?—Yes; that may be. It is not, however, that Mr. Wilkinson is a mere member of the Bar; but it is the circumstance that he has had the means of sifting evidence and facts that are brought before him that would render him more capable than another.

5679. However, you must admit that in many questions which come before the members of the Board in relation to sewage operations, and the Building Act (which are constantly remitted to it) and so on, the attainments and the energy of Mr. Silas Taylor may have been a fair reason why he might have been elected instead of a mere barrister?—It might have been so, but I wish it to be clearly understood, with reference to Mr. Silas Taylor, that he is a personal friend of mine, and that he was the very first person to whom I communicated my intention of becoming a candidate after my address was written.

5680. You were a candidate?—I was a candidate in opposition to him.

5681. Was he elected by a large majority?—A very large majority.

5682. Against you?—Against me. Promises had been made for 12 months previously.

5683. That might be so or not?—I know it, as a fact.

5684. In how many cases out of the 120?—He had 112 promises.

5685. He might have obtained them during three weeks?—When I spoke about the election which he desired should be hurried on in a week, he said, "I have been canvassing for 12 months."

5686. You are a "disappointed candidate"?—Not in the least.

5687. I mean in the ordinary sense of the phrase; you put up and did not succeed?—I did not succeed; but I was not in the least disappointed. I did it merely to discourage the system of canvassing; and I said, in my address, that I should refrain from asking for a single vote.

5688. You were against canvassing?—Yes, in political matters I can quite understand it, but in these peculiar elections, I think it is to be avoided.

5689. With regard to the election by voting paper instead of by the present mode, do you not imagine that Mr. Silas Taylor would have succeeded against you whichever mode had been adopted?—He may have done so; I do not pretend to put myself against him. His qualifications may be superior to mine altogether; I am speaking as regards A. B. and C. D., whoever they may be. I prefer that they should be brought before the electors before any promises are extracted.

5690. I do not see how you are to obviate that, because if a man chooses to ask me to vote for him at the next election, he can do so?—I do not put my pretensions against those of Mr. Taylor. I was solicited by some persons to come forward; they were not many, but four out of five were chairmen of standing committees.

5691. Do you propose that every member of the Metropolitan Board should be elected triennially or annually?—Triennially.

5692. The same as at present?—Yes.

5693. And you think that men of the calibre which you desire to see on the Metropolitan Board would be elected; that you would get a better class of men to stand in the case of a popular election than if the election depended upon the good feeling of the members of the vestry?—As a whole, I should say that the class of men representing the parishes on the Metropolitan Board of Works are generally desirable; I cannot pretend to say anything against them.

5694. Do you think that you would get a better class of men to come forward, if they were exposed to the accidents and incidents of being elected in the way you have suggested rather than being nominated by their friends and neighbours in the vestry which they act upon and where their usefulness and character are perfectly well known?—I do not say a word against the members of the Metropolitan Board of Works as a class. My evidence was directed to the class of men in the vestry. The members of the Metropolitan Board of Works are, I think, as desirable and as eminent as you could expect to get.

5695. You think that the vestry would be better if the members were elected from house to house like the guardians of the poor?—I think so.

5696. But it is an office which entails a good deal of labour, and there is nothing belonging to it in the nature of patronage or anything else which would induce a gentleman of leisure to go out of his way to obtain it?—In 1855 and 1856, a great number of gentlemen consented to act and were elected in all the wards, and they would have willingly continued, but they were subjected to annoyances the character of which I need not describe. Even the chairman (the vicar) was

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subjected to a degree of insult that he refrained from attending.

5697. Do you mean Mr. Dale?—Yes.

5698. What business had he there?—He was there by virtue of his office under the Metropolis Local Management Act.

5699. Was he not out of his place at the head of a great popular assembly; does it not strike you that in making a clergyman like him, who has the gravest duties to perform in an enormous parish, had better mind his parish instead of going to the vestry?—As the Legislature had placed him there in that position *ex officio*, he did not think he was doing wrong in exercising his functions in the vestry.

5700. How came he to be chairman?—Under the Metropolis Local Management Act, he is *ex officio* chairman. Other persons are elected on each occasion. As a matter of courtesy, now that the vicar does not attend, the senior churchwarden generally takes the chair; I may say that Mr. Dale thought afterwards that he would have done better to have stayed away; he thought he had made a mistake in going, and he advised Mr. Champneys not to go.

5701. And Mr. Champneys acted upon the advice?—Yes; he has never been in the vestry.

5702. *Chairman.*] Now you have a chairman by courtesy?—Yes.

5703. Do you think it would be desirable that you should have a recognised chairman or head of your board or parish?—We recognise the churchwarden as chairman generally, and in that way he has a knowledge of the business which is transacted from time to time.

5704. Do you think it desirable that by law or otherwise, he or some other person should be recognised as chairman for the year?—I think it is better that the chairman should continue, so that he might know the nature of the business to be transacted from time to time. I was chairman for two years, and I found that by continually attending to business I was enabled to perform it more satisfactorily.

5705. You think it is desirable that some one should be publicly recognised by authority?—Yes; that just as the vicar was chairman, some one else should be.

5706. You have said that people objected to the name of vestrymen; what name do you think they would prefer to be called; councilmen, aldermen, or what?—I am scarcely prepared to say; some of the papers use the term "Representative Council."

5707. What do you think the vestrymen would like to be called?—I do not know that. I cannot say that there is a dislike on the part of gentlemen to be called vestrymen. What I meant was, that there was a feeling out of doors with regard to vestries, that they were brought into contempt either by their own acts or by the littleness of vestries in former years. However serviceable they may now be, there is still something appertaining to the name which is objectionable.

5708. Would you call the vestry a council, as in all municipal boroughs?—I think it would be preferable.

5709. The mode of election at present is by ballot, which may be made secret?—Yes.

5710. Do you think that the secrecy is at all insisted upon by voters?—I think there is no objection to it.

5711. If they voted by voting-papers from house to house would they not lose the advantage of secrecy?—Yes, if it be an advantage; I think persons would vote just as freely with a voting paper as they would by ballot. A person never suffers any inconvenience, I conceive, by giving his vote one way or the other for vestrymen.

5712. Is there much dissatisfaction with the administration of local affairs in the parish?—I think not. I think the vestry, as a whole, has worked exceedingly well.

5713. The administration of the Poor Law has been a subject of a great deal of comment in the public papers?—I think that has been from accidental circumstances rather than from any general neglect. I believe the greatest possible care is taken; but in such an enormous parish, with 200,000 inhabitants, and upwards of 2,000 in the workhouse, occasions will arise, either through the mismanagement of the officials and servants or other causes that afford ground of complaint.

5714. Does the vestry exercise any influence by an expression of opinion over the conduct of the directors of the poor?—I think so; merely from the constitution of our local acts.

5715. Does it exercise any influence over them, and consider their conduct?—It very seldom does that. The directors consist of 40 gentlemen, and they discuss their own matters; the vestry very seldom exercise any supervision. When I was a member of the vestry, some years ago, I recollect proposing a resolution, which was carried, to do away with the system of dining at the workhouse on certain days, and the system was discontinued for a little while.

5716. The vestry does claim a certain right of reviewing the acts of the governors of the poor?—It can do so and can express its opinion that it is not desirable to do this or that.

5717. But it has no power to enforce its views upon the governors?—No, except by the election and dismissal of officers.

5718. Or by the election of new governors?—Yes; the election of the master, the matron, and the officials of the workhouse is vested in the vestry?—If an officer was recommended by the directors of the poor to be dismissed, that subject would come under the consideration of the vestry, who would determine whether there should be a dismissal or merely a reprimand.

5719. Practically, through that control over the officers you have a large power of supervising the proceedings of the directors of the poor?—Yes.

5720. Have you had much occasion to consider the conduct of the officers?—On some occasions there have been many discussions. A good deal of discussion took place at one time with reference to the chaplain to the workhouse, as to his dismissal, and upon a subsequent occasion with regard to the master of the workhouse.

5721. Do you think it is beneficial that the larger board, the vestry, should have an opportunity of reviewing the proceedings of the smaller board of governors?—I hardly think so, because the directors ought, I think, to be able to judge of their own officers with whom they are constantly in contact; and their opinion, they being able to ascertain the facts, ought, I think, to be conclusive, rather than having the matter discussed again in the vestry, without proper evidence, and without the formation of a committee, or being able to ascertain precisely the facts.

5722. You are of opinion that the interference which has taken place has not been advantageous?—I think

—I think not. I think the guardians ought to be judges of their own officers, where it relates simply to the management of the board and of the workhouse.

5723. Would you apply the same rule to the other committees of the vestry?—No, because with regard to other matters every committee must report to the vestry, and there is no separate officer. Our standing committees are five in number, but there is no separate officer connected with them.

5724. If it is not desirable to review the conduct of the board of governors, in the administration of the Poor Law, who are only a committee of your vestry, would it not be equally undesirable to review the conduct of other committees entrusted with other duties?—I do not know of any other committees except the Highways, Sewers, and Public Works Committee, the Sanitary Committee, the Finance, the Rate Assessment and Appeal, and the General Purposes Committees; and I think, unless the vestry had a veto upon them, some of their proceedings would be most injudicious as regards expenditure; it would be a very great evil to have those matters left simply to the committees.

5725. I do not understand why it is more desirable that you should have a supervision over the committees for sewers and roads, and not over the committee for the administration of the Poor Law?—The directors of the poor have a peculiar duty entrusted to them connected with the management of the workhouse, and of the poor outside; they have committees of their own, and divide their labours in the same way as the vestry, reporting with regard to the particular matters entrusted to them. I think that any clashing of duties would be most undesirable.

5726. Are not the duties of looking after the sanitary condition of the parish intimately connected with the relief of the poor?—I think so, but under our constitution that has existed so long, I do not think it would be well to vest the sanitary portions in the directors of the poor. The sanitary duties are becoming now more thoroughly understood by vestries, who are more alive to the necessity of doing all that can possibly be done for the benefit not only of the poor, but of all the inhabitants of the parish.

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5727. Is not the supervision of the dwelling houses of the poorer classes a matter intimately connected with the ultimate relief of the poor?—It has nothing to do with it.

5728. Suppose you turn people out of a house because it is unfit for habitation, where are they to go?—The Legislature has separated the duty completely by having a medical officer of health, whose duties are over the entire parish. Our parish, under the advice of the sanitary committee, appointed two extra sanitary inspectors, so that they have a perfect working system; I do not think it could be improved by handing over the duties to the directors of the poor.

5729. The officer of health has to deal with all cases of sickness?—All cases of sickness and all cases connected with the dwellings of the poor, and there are certain parochial surgeons outside the house as well as inside, who have their separate duties connected with the health of the inmates and the outlying poor.

5730. The relief of sickness as well as the giving of medicine, when it occurs, is a duty to be discharged under the Poor Law Board?—Yes.

5731. They would seem to be all intimately blended with one another?—Yes; I do not know that there is any clashing.

5732. It would seem that the one is so intimately connected with the other that it would be impossible to perform one duty without reference to the other?—I think, as far as the Poor Law is concerned, its administration must be kept distinct and separate from the duties under the Metropolis Local Management Act, or under the Acts pertaining to the metropolis local management, even as regards sanitary matters.

Mr. JOHN LAYTON, called in; and Examined.

5733. *Chairman.*] YOU are Vestry Clerk of the parish of Islington?—Yes; I have been vestry clerk since 1851; some four years before the passing of the Local Management Act. The extent of our parish is 3,127 acres; it is larger than Marylebone or St. Pancras; our population at the last census was 155,000, and we calculate that it is now something like 180,000. The first assessment to the poor rate after the passing of the Metropolis Local Management Act on Lady-day 1856, was £. 488,000 rateable value; on Lady-day 1866, the amount had risen to £. 765,000. We have, in fact, been going on increasing at the rate of about £. 20,000 a year, in our net annual assessment on which the poor rate is actually made. Some complaint seems to have been made by Mr. Bradfield with regard to the expenditure out of our general rate; upon the general rate our expenditure for the year, up to March 1866, was £. 36,197, which includes the highways. At present, about one-third part of our parish remains uncovered, so that I suppose we shall go on increasing in this way until it is all covered. I understand that the principal complaints were directed against a road called Camden-road. That part of the road from Maiden-lane, near the "Breck-

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nock Tavern," to a portion of the Seven Sisters'-road and the Holloway-road, is in the parish of Islington. I may state, that I know in many instances that the leases granted by the freeholders to the lessees contain covenants that the lessees shall pave the footpaths opposite their houses. Previous to the passing of the Act of Parliament abolishing the turnpikes, Camden-road was under the jurisdiction of the Road Commissioners. The footpaths, by the "Local Management Act of 1856," were thrown upon the vestries. Prior to the passing of the Local Management Act, Islington parish was governed by a local Act, and under that local Act the then governing body (the trustees of the parish) were in the habit of sending estimates to the owners of property, and upon receiving half the amount the local authority did the paving. I hold a number of estimates sent to owners of property at the time. The owners have, in many instances, declined to pave, and in many instances they have paved, which accounts for there being flags in portions of the Camden-road, and none in other portions. The result, I think, is a great hardship to those who have paid. These footpaths have been thrown upon the vestry for maintenance, and unless the

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vestry shall pave them at its own expense the charge for flagging must be borne by the occupiers. By the 78th Section of the Amendment Act it is enacted, that in cases of any footway laid down on the passing of the Act (as this is), the charge for flagging or paving shall be made a charge upon the occupiers of the houses. That section stands perfectly alone, and there is no power given to the occupiers by which they may deduct the amount from the rent. The vestry has memorialized the Metropolitan Board of Works to get rid of that section if possible, considering it to be a great hardship. So far as Camden-road is concerned, the vestry of Islington have put it into a proper state by gravelling and kerbing; and, during the present year, we have spent 450 *l.* upon that small portion (700 feet) in our parish, in putting it in a safe condition, which is all that the vestry are liable to do. If the vestry should pave these unpaved portions of Camden-road, the result would be that those who have actually paid for the paving opposite their houses would have had an injustice inflicted on them; there is no doubt that that will be the result. In many instances the owners are the occupiers, and some have written to us to say that they will pay. A comparison was drawn between the portion of the Camden-road in the parish of St. Pancras and the portion in the parish of Islington. I have made inquiry, and I hold in my hand a letter from the surveyor of St. Pancras parish, in which he states that all the flagging in the Camden-road was put down at the expense of the owners of the houses. If the owners of the houses here will pay as they have in St. Pancras, as many of them are bound to do by their covenant, and as others have done, the whole will be flagged. At present, 500 *l.* has been laid out in making a good gravel footpath and kerb throughout.

5734. Had you not better state what has been said by Mr. Bradfield, which you want to contradict?—I do not want so much to contradict him, as to let the facts appear.

5735. He complained as to the state of the road?—The road is in a good state.

5736. When was it put in a good state?—It is repaired, as the other roads are repaired, out of the heavy amount which I mentioned.

5737. Has it not been lately repaired?—Yes, but I believe it was always in a good state.

5738. Was it not after the petition was presented that the vestry took the subject into consideration, and ordered the road to be repaired?—There is no doubt about it; I say it was in a good and proper state before.

5739. Nevertheless, you took the subject into your consideration, and directed the road to be repaired?—In the way I have stated; not for flagging. Then I understand that Mr. Bradfield stated that he had received several complaints with regard to Victoria-road, Almorah-road, and others. Now all those roads were what is termed new roads; they have all been made under the compulsory powers of the Act of Parliament, by resolutions of the vestry for that purpose. I need not tell the Committee that rates are not raised in a parish for the purpose of assisting builders to make new roads, but for the maintenance of the roads after they are made. Every one of these roads has in turn been taken and paid for. I understand that complaint has been made with regard to watering the roads, that the horses slip about on the stones, and so on; we have no paved roads in our parish, and therefore that remark cannot apply to us. Reference has also been made to "favoured portions of the parish;" I do not understand the meaning of that, and I give my most unqualified contradiction to the statement that there has been any favouritism at all. I should like to mention one or two matters which the vestry hope it is within the province of this Committee to consider; one is, the difficulty that we experience in going before police magistrates to enforce the different resolutions of the vestry in getting payment from the owners or occcupiers, and also under the Nuisances Removal Act. You are aware that jurisdiction is given to the magistrates to enforce payment. In Islington, with an extended area, we are driven to the Clerkenwell Police Court in Bagnigge Wells-road. There are two magistrates there who have more than they can well carry out; their area is the same as it was 50 years ago, and there is an immense increase in population. When we go for summonses, we are obliged to divide them, taking two or three a day, so that, if we have 20 summonses, it is sometimes a fortnight before we get them; then legal difficulties arise, question as to who are really the owners, and what is the meaning of the word "rack rent." The Act states that application is to be made to the person receiving the rents, or who would receive them if let at a rack rent; those are questions which I think ought not to be permitted to arise, and I would submit that we should have power to take the rent in all cases, and that the occupier should have power to deduct the amount from the owner, that the word "owner" should be limited to the person actually in the receipt of the rent, striking out the word "rack rent." You can scarcely imagine the difficulties we meet with in enforcing these orders.

5740. Have there been any complaints made by the inhabitants to the committee of the vestry with regard to the state of the roads?—The complaints in the parish of Islington are very few indeed; considering its extent, I am surprised there are not more.

5741. Were complaints made in 1863 of the state of Camden-road?—I think so; speaking from memory, many complaints were made after the transfer of the roads from the toll commissioners.

5742. What was done?—The vestry attempted to get the owners or occupiers of the property to do that which they considered to be fair, and which other owners had done, not charging one at the expense of another.

5743. Did the vestry invite the parties making the complaints to meet them?—To meet a committee.

5744. On all occasions?—On several occasions they were there; I do not know whether it was always by invitation.

5745. Mr. *Tite.*] We have had a letter of the 9th May 1866?—There are other letters which you ought also to see; it is very inconvenient if the whole of a correspondence does not appear; we sent a copy of the resolution of the committee, inviting the parties to contribute, and asking them whether they would contribute as the others had done, telling them that the place would then be put in a proper state of repair. The pavement has been put down by different owners at different times, regardless of levels; therefore, to make the whole thing complete, we should be obliged to take it up and make proper levels. At

this

this part of Camden-road the buildings are much more modern than at the other end.

5746. Is Mr. Fuller a member of your vestry?—Yes.

5747. Has he made any charges against the Highway Committee with regard to the administration of the rates?—Mr. Fuller was a candidate for the office of vestryman several times; I would rather not refer to what is stated in his speeches at the meetings, for previous to the elections, in some of our wards, there was a great deal of party spirit shown.

5748. Did he make any charge in the vestry against the Highway Committee?—He had a notice of motion upon the agenda which has never yet been brought forward; I think that, reading the charges literally, it would be inferred the Highway Committee put 12,000*l.* in their pockets.

5749. Did he propose any investigation into their proceedings?—When the motion was brought on, the matter was adjourned for six months; when it was called on at the end of six months, he was not present, and he has put it on the paper again; it is such a general thing, that nothing definite can be said about it.

5750. Is it your opinion that the inhabitants are very well satisfied with the administration of the committee of highways in Islington?—I am of that opinion; I do not mean to say that there are no complaints, and should think we were in a bad state if there were none. Probably we have more houses building than in any parish in the metropolis, and I am sorry to say that the builders do not make their roads and footpaths as they ought. The houses are let before there are any roads or footpaths at all. In Upper Holloway, Ward No. 1, which is almost twice as large as the whole parish of Clerkenwell, there are 50 or 60 streets now being formed, and the houses let almost before they are fit to be inhabited, and before the roads are made.

5751. Do you not consider it the duty of the vestry to see that the pavement is put down in these new thoroughfares?—Yes, and they do so as far as they can, but we should want a staff three times as large as we have to do it thoroughly.

5752. Could you not make a contract with some person to put down the pavement, without any staff?—A good deal of consideration would be required with regard to contracts for road-making; we have good contractors, and we get the work done. As soon as we see fit, or think it right to interfere, we do interfere. Our receipts during the last twelve months from builders have amounted to upwards of 4,000*l.*, and there is half as much more still outstanding, so that you see we are not idle.

5753. It would seem to be correct that the vestry has not been very earnest in enforcing the paving of all the streets?—I think it is quite the other way, and that we have been exceedingly diligent and urgent.

5754. You think that that applies to Camden-road?—I do, consistently with the other parts of the parish.

5755. Mr. *Tite.*] What power do you seek to help you to amend this matter?—We desire that that clause, making the charge upon the occupiers, should be struck out. It is a very curious clause, and you cannot bring any other section of the Act of Parliament to assist in its interpretation.

5756. What would be the effect?—The owner should pay.

5757. Where are you to find him?—We could soon find the owner. The owner is defined in the last clause. If you make the charge upon the occupier, giving him the power to recoup himself out of rent, that would be sufficient. I have made inquiry, and I find that this clause was inserted at the instance of the late Mr. Eckett, a very active member of the St. Pancras vestry. It was framed to meet a particular case, but by some means or other it is made to apply generally.

5758. You think the better course would be to charge the occupier, and let him stop the amount out of the rent?—I think that is what was meant, but it does not say so.

5759. That would be the better mode?—Certainly.

5760. *Chairman.*] You were going to explain some difficulty with regard to enforcing the Sanitary Act?—Yes, the 14th clause of the Nuisances Removal Act states that "any person not obeying the said orders for abatement, shall, if he fail to satisfy the justices that he has used all due diligence," and so on; the consequence is, that we have to go twice before the magistrate, first, to prove our case, and get an order, and then to summon the man again to show cause why he has not complied with the judgment of the court. There is a decision of the Court of Queen's Bench which says that after a summons and conviction, in default of the defendant's appearance, a warrant of distress cannot issue without a previous summons under the 20th section. We are so trammelled that there is really great delay, however great the nuisance may be.

5761. Mr. *Mill.*] What would you recommend?—That the first order should be final; that it should not be necessary to summon a man to show cause why he has not complied with the order, since its tendency can only be delay.

5762. Would you empower the vestry itself to give the order?—No, the magistrate; but one order should be sufficient.

5763. You would have the order of the magistrates to abate the nuisance made compulsory?—Peremptory in all cases.

5764. If the person to whom the order was given did not remove the nuisance, the order should at once be enforced?—Yes, and we have ample powers.

5765. You have powers sufficient to enforce the order of the magistrates, if you were allowed to do so, without summoning the man to show cause?—Yes; I think, however, that it would be found necessary to increase the staff of magistrates. Recently, under all these Acts of Parliament, the magistrates have been almost overwhelmed. Many compensation cases under Railway Acts come before them, and so with small tenancies under 10*l.*, and many other things; their jurisdiction has become so extended that physically it is utterly impossible for them to carry it out. I am sure that no gentlemen can assist us more readily than the magistrates at Clerkenwell and their clerks, but I am compelled to make out all my own summonses, and take them there cut and dried, and to draw out my own orders.

5766. Do you consider these duties to be properly imposed upon the magistrates?—I should like to see a court for the whole of the metropolis to take these matters into consideration; there is

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work, I think, for a magistrate sitting every day in such large parishes as Islington and St. Pancras.

5767. The matters you are speaking of are of a judicial kind, such as determining the amount of compensation?—There is a great deal of that, and no doubt a judicial mind is required.

5768. Mr. *Tite.*] Instead of going before the police magistrate, do you think you might go before the county magistrate?—Yes; we have our own local justices for the division of Finsbury, and it has struck me that they would form a proper tribunal.

5769. Mr. *Mill.*] Have you a body of local justices sitting regularly?—No; they sit in the Sessions House at Clerkenwell, but they favour us by coming to the vestry hall to hear summons upon the rating, and also with reference to weights and measures.

5770. Mr. *Tite.*] Is there any reason why they should not have that duty assigned to them, being men of the highest character and appointed by Government?—I think we could not have a better tribunal.

5771. Nor a fairer one?—Nor a fairer one; and they certainly would be more ready.

5772. That is the principal thing you desire, because no doubt a police magistrate when he does the work does it well?—Yes; but he cannot attend to it.

5773. Mr. *Mill.*] Is there any improvement that you would suggest in the constitution of the vestries, or of the other bodies which at present carry on the municipal administration of the metropolis?—I do not know that I can suggest any.

5774. Mr. *Tite.*] Who represents you at the Metropolitan Board?—Mr. Savage and Mr. Peckett; Mr. Savage has represented us from the commencement of the Board. I may mention that our churchwardens, overseers, commissioners of burial boards (for we have a cemetery of our own), and the members of the Metropolitan Board are elected by the vestry; they also elect the trustees of the poor, of whom there are 60. Before the Local Management Act came into operation, we were governed entirely by a local Act. There were 60 person appointed, called trustees; since the Local Management Act was passed, their principal duties have been connected with the poor. The Act has worked very well, but I should like to see a little more energy on the part of the ratepayers. I may mention that we had a contested election this last May, and more than 800 persons voted in one ward.

5775. Mr. *Mill.*] Are you satisfied generally with the kind of persons who are candidates for the vestry in your parish. Are they of as good a status as you would desire?—I think we have cause to be pretty well satisfied; we have a very good mixture; it depends, however, upon the wards; in some of the wards we have almost a difficulty to get the 40 *l.* qualification; the number of our assessments in the parish is 23,000; there is, no doubt, a good deal of apathy on the part of the ratepayers, but I do not know why we should legislate for those who are apathetic. We generally send out something over 10,000 notices with regard to the day of election.

5776. Do you think there would be more interest excited in the elections on the part of the ratepayers if they were to vote by voting papers?—I do not think they would be at all useful; I think that it would only extend the system of canvassing, and the result would be the same.

5777. Does much canvassing take place in your parish?—There is a great deal in particular wards; we have eight wards. I may mention that the ratepayers are limited to the ward in which they reside, but a vestryman may be taken from any part of the parish; some persons think that the intention of the Act of Parliament was that the vestrymen should be limited to the ward in which they reside.

5778. Is that your own opinion?—I think it would be more uniform; there is another singular thing in the Act of Parliament, a ratepayer who votes must have been actually rated 12 months, but not so with regard to the vestryman; he may have only just had his name put upon the rating books. I am not saying that there has been any hardship in that respect, because the Act of Parliament is at present in its infancy.

5779. Do you think it desirable that no one should be eligible as a vestryman for any ward unless he is an inhabitant of the ward?—I think he should be rated in that ward, or if there are two wards they might be brought together.

5780. Would not that rule limit still more than at present the range of choice, and diminish the chance of obtaining the most eligible persons?—It is subject to that construction being put upon it; I am speaking of a very large parish, each ward having a large population, and being almost a parish in itself.

5781. Some of your wards, I believe, are inhabited by a very poor population, are they not?—Comparatively, so that the 40 *l.* qualification for a vestryman is felt to be too high, limiting the selection.

5782. You would prefer to have a lower qualification for vestrymen?—In the lower rated wards, because at present you are liable to be driven to one class of persons, namely, tavern keepers and so on, of whom, however, I do not wish to speak with any disrespect.

5783. You say that there are wards in which there are very few persons rated at 40 *l.* except tavern keepers?—I do not put it so strongly as that, they would preponderate.

5784. You think it would be better to take persons rated in the ward, although at a lower qualification, than persons from other wards in the same parish?—Yes, I think the qualification which is mentioned, and the restriction which is given in one of the sections as to the amount of rating might as well be made applicable to the wards. There is one section which says that if the number of persons rated at 40 *l.* shall amount to one-sixth in a parish, the qualification shall be 40 *l.*, but if they are below one-sixth then the qualification shall be 25 *l.* Now if that was confined to the different wards instead of the different parishes, I think it would be an advantage. The qualification would then be 25 *l.* in some of the wards, and 40 *l.* in others, so that the thing would be equalised.

5785. You think that even in that way there would be a sufficient mixture of classes in the vestry?—I think so; I think I may speak very favourably of the vestry of Islington; complaints will arise and do arise, and indeed we should have nothing but stagnation if they did not; on the whole, I think the work is well done.

5786. Mr. Alderman *Lawrence.*] I judge from your remarks that you would like additional magistrates, for the purpose of carrying out the various matters connected with the sanitary arrangements of the parish and matters of compensation?

pensation?—Local matters altogether, and I think every parish would concur in that.

5787. Are you satisfied with your present arrangements as to the number of the police?—No, we are not; a gentleman came to complain the other day on that subject; he said that at the back of the Seven Sisters'-road there is some vacant ground where the boys go to play cricket, and where there is a great deal of dirt and rubbish thrown. It seems that the boys get over into the neighbouring gardens to get their balls, and they do not forget to take some of the currants. This gentleman had inquired at Highgate station, where they told him that a policeman would only pass that spot once in three hours; I do not think that we have a sufficient number of police considering the enormous amount that we pay.

5788. Have representations been made to Sir Richard Mayne with regard to the number of police?—Yes; a deputation from the Islington vestry attended him some time ago, and I think we have had a slight increase since then, but it has not been appreciable considering the number of new streets that have been made.

5789. What are the views of the parish with respect to Finsbury-park?—The vestry of Islington, and the inhabitants generally, are very much dissatisfied, and think that they have been very badly treated by the Metropolitan Board of Works. By the Finsbury Park Act, the Board of Works were empowered to purchase 250 acres of land. The plan was deposited with the clerk of the peace, and at the other places required, and approved by the Chief Commissioner of Works; they took power to sell 20 acres. The Act of Parliament states that the park shall be partly in the parish of Islington, and partly in the parish of Hornsey, Hornsey being outside the Metropolis Local Management Act. I believe that out of the 250 acres, 130 were locally situated in Islington. The Board of Works has purchased 120 acres standing north of the Seven Sisters'-road. Had the 250 acres been purchased the Seven Sisters'-road would have run in the middle of the park. They propose out of the 120 acres, to sell 20 acres (which they were entitled to sell only in the event of their purchasing 250 acres) for building purposes, and they have got a plan prepared upon the principle of getting the best ground rents they can. Their intention has been, and I believe is now, to build villas all along the Seven Sisters'-road, facing the proposed park with a row of stables, from the bridge of the Great Northern Railway up to the Manor House and the Green-lanes. I believe that really they have not purchased 120 acres, but only 118, with an acre or more to be taken out of that for the New River, which is included; so that we shall have little more than 90 acres. The parishes of Islington, Clerkenwell, and others have held several meetings upon the subject, and they think it excessively mean. A gentleman who is rated at 100 *l.* a year will have to pay 10 *d.* a year towards this park. The property was bought remarkably cheap, under 500 *l.* an acre; it is now worth at least 1,000 *l.* an acre, as land is going. I hope that something will be done to give us the whole 120 acres.

5790. There is a great feeling in the parish of Islington, and in the adjoining districts, that the Metropolitan Board of Works are about to build upon the land which they have taken to form a park, which will be very prejudicial to the interests of the whole of the surrounding districts in limiting the area of that park to a much less space than what was originally intended?—Quite so. That is the feeling of everybody in Islington, and, I believe, it is pretty much the feeling of the whole borough of Finsbury. I may mention that the member for Stoke Newington, the Hackney District Board, voted in favour of the building. I do not know whether he would say that the parish of Stoke Newington was in favour of the building. We should be glad if any steps could be taken to give us the 120 acres.

5791. Mr. *Mill.*] Has your vestry made any remonstrance in any public manner?—Yes, we have been before the Board of Works by deputation; Mr. Torrens, Mr. Alderman Lusk, and the vicar attended, by the unanimous desire of the meeting in the parish. A deputation also attended from St. Luke's, Old-street.

5792. In the present state of the law, I suppose you have no appeal from the Board of Works except to Parliament?—No, the question I have mentioned is a legal one, and very peculiar; one of the clauses in the Finsbury Park Act is to this effect; that when the park is completed they shall dispose of 20 acres. That is like taking surplus land upon a railway for the purposes of deviation. Here they have decided that the 20 acres shall go for building purposes, but I think they are premature. That is one of the questions that ought to be decided.

5793. Mr. Alderman *Lawrence.*] I believe you consider that the representatives of the adjoining districts have been overpowered in this matter by the representatives of the districts living far away, who look upon the sum raised for the carrying out of this park as so much money taken from them for the benefit of your districts?—No doubt.

5794. Mr. *Kekewich.*] The value of property in your parish has very much increased, I think?—Yes, from 1856 to 1866 the net rateable value has increased 276,741 *l.*, and we have one third of our parish unbuilt upon.

5795. How do you correct your assessment from time to time?—We are governed to a certain extent under Local Acts called the Islington Parish Acts. We have a body of 12 gentlemen, called assessors, who twice a year reassess the parish, or such parts as they, from time to time, think necessary. They are elected for two years, six going out every year. They view all the new properties, and consider the improvement or depreciation in the old. They are engaged sometimes for a week or a fortnight at a time.

5796. Do they employ a surveyor?—No, they take the duty upon themselves; but I say that one or two of them may be almost regarded as surveyors. They are large owners of property.

5797. You are aware that under the late Act of Parliament that duty is performed by a committee of the board of guardians?—Yes, but that would not apply to the parish of Islington; we are not in union, we are outside the Poor Law Act, and are under a Local Act.

5798. Are the guardians elected in the same way?—They are called trustees, and are elected by the vestry.

5799. Under the control of the Poor Law Board?—Only in a very limited way.

5800. Are the members of the board for the most part the same persons as compose the vestry?—Yes.

5801. Might not the whole of the business

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be done by one body, if they are the same persons?—I have no doubt it might.

5802. Suppose you were to have one body elected by the ratepayers by voting papers, or in any other way, do you not think that that body, dividing itself into committees, could do the whole work that is now done by two or three bodies?—I think it could be as readily done one way as the other; there is no difficulty now as it is carried out. The duties of the trustees and vestrymen do not clash with each other.

5803. Both bodies consist of gentlemen of great respectability in the parish?—Yes, taking them as a whole.

5804. And they are perfectly competent to discharge their duties with regard to the assessment?—I do not see any difficulty in the way; of course, in a large parish like Islington, there will be some dissatisfaction.

5805. Is it your opinion that you have the gross estimated rental correct in your parish?—I feel satisfied that we have.

5806. Can you say what deductions you make in order to get at the rateable value?—As a rule we deduct one-fifth.

5807. Mr. *Knatchbull-Hugessen.*] Therefore, if the gross estimated rental is faulty, the rateable value is faulty, the one depending upon the other?—Of course.

5808. Mr. *Kekewich.*] Supposing the gross estimated rental to be 100*l.*, you rate it at 80*l.*?—Yes; I do not say that that is an invariable rule.

5809. You generally deduct one-fifth, or 20 per cent.?—Yes.

5810. Whereas, in St. Pancras, I believe, the rule is to deduct 15 per cent.?—I do not know; so long as you are consistent the rate is immaterial, because all would pay alike, and you must raise what is wanted.

5811. If you are consistent in a certain area of rating, co-extensive with your parish, it is the same thing; but supposing you extend your area, then it makes a difference?—Certainly.

5812. Mr. *Turner.*] In estimating the values of property, is it not requisite that professional men should be employed for the purpose of obtaining an equality of rating?—I do not think it is in all cases.

5813. Might it not happen that by a change of honorary officers you would have different principles of valuation established im different years?—I do not fear that. The principle I have mentioned has been adopted during the whole time I have been vestry clerk, and we have a table prepared which the assessors and collectors have with them, showing the deductions.

5814. The market value of the property is continually changing, and do you not think that only professional men are capable of judging of the differences that constantly arise from some property depreciating owing to a neighbourhood becoming less fashionable or less agreeable, and other property rising into importance and public estimation, do you not think that these changes require individuals of great judgment and great acquaintance with the market value of property to ascertain the exact amount of that value?—I quite feel the force of that, but I think that in our parish we do not fail from want of professional assistance, because our assessors have always been very attentive. They view almost all the property, certainly every new property, and are constantly altering the assessment. The assessment committee of the vestry sits every fortnight, and hear complaints with regard to over-rating.

5815. Mr. Alderman *Lawrence.*] Do I understand you to say there is a deduction of 20 per cent. off the rental of every kind of house or property?—Not as an absolute rule; we take that as a criterion, just as rent is taken as a criterion, but it is not the only one. A man may pay a premium for his lease. Our general rule is to take off one-fifth of what we believe the house would be worth to let; of course there are modes of ascertaining that; for instance, by ascertaining what the adjoining property is let for; we insist upon seeing the leases, and so on.

5816. Is the rateable value always obtained from the gross estimated rental, or is the gross estimated rental sometimes obtained from the rateable value?—The rateable value is obtained from the gross estimated rental. The assessors go and view the property, and make their report: the assessment committee sit every fortnight to hear appeals, and the result has been that during the whole of my time we have not had a single appeal to the sessions, with the exception of one made by the North London Railway.

5817. Mr. *Mill.*] Has your attention been called to the proposals that have been made for establishing municipalities in different portions of the metropolis?—I have not given much attention to the subject, but I think that Islington is quite large enough to be a district of itself. We are a municipality nearly, with the exception of having a mayor and aldermen.

5818. What is the population?—At the last census it was 155,000; we take it now to be over 180,000.

5819. Do you know what proportion that bears to the population of the Parliamentary borough of Finsbury?—I do not know. The Islington list of voters is something more than half the list of voters for the whole borough. I do not know the population of the borough.

5820. Mr. *Knatchbull-Hugessen.*] If the other parishes comprise a poorer class population they might be larger, although the number of votes might be smaller?—The other parishes have a much larger population in proportion to their area, except that in some of them a great many houses have been cleared away by railway works. I wish to repeat, we feel very strongly upon that clause with regard to the occupiers, as being a very great hardship, the occupiers not having power to recoup themselves. We think that, in the first instance, the occupiers should be made liable, and then that they should have the power to deduct the amount from the rent. Of course they could be heard before the magistrates or any other tribunal, if the amount was thought to be too heavy; but I do not wish to go into that question. Then I think that there ought to be an increase in the judicial power, either in the way that has been already mentioned, or in any other way that you, in your wisdom, may think best. You will then, I think, have done good service, so far as we are concerned. I may also mention that the vestry of Islington are about to pave new streets without waiting for payment first. The Act of Parliament provides that the moneys shall be obtained either before the work has commenced, or during the progress of the work, or after the work is finished. Of course there is a great deal of labour involved. If you take a street

street with 100 houses, it involves 100 different estimates. If the frontages are all alike, there is no difficulty in splitting up a large sum, but the different magistrates in the metropolis, as might naturally be expected, in trying to do their duty, have come to different decisions with regard to paving and road making by the side of flank walls. I have had a good deal of discussion on the subject with Mr. Barker and Mr. D'Eyncourt, the magistrates at Clerkenwell. Questions have arisen, whether the charge should be according to the rating or according to the frontage. All these matters ought to be well defined, if there is to be a new Act of Parliament. The magistrates generally think that frontage is the proper mode of charging, because there is actual work done and actual benefit received. As to flank walls, some magistrates are of opinion that, if there is no entrance in a flank wall, the expense should be thrown over the whole road.

5821. Mr. *Mill.*] That it should not be paid for by the occupier of the house to which the wall is attached, but by the whole street?—Yes; but if there is an entrance in the side wall, then the owner of the house possessing the side wall should pay up to that entrance. A good deal of time is occupied in discussing such questions as those, and it is very desirable that there should be uniformity in those matters; it does not apply to a parish where they cannot do any new works—St. Luke's, Old-street, Clerkenwell, and many others; but in a parish like ours it is of great importance; then there is another point to which I should like to call attention, and which we wish could be remedied in some way. A magistrate has no jurisdiction after the expiration of six months from the date of a demand; that is felt to be too short a time, in many instances; we have a case now in which we are seeking to enforce payment, and the owner of the property is in Australia; that is the limit under Jervis's Act. It is in the nature of a criminal proceeding; I think this should not be looked upon as a criminal proceeding, but more as a case of plaintiff and defendant.

5822. You mean that if the owner succeeds in resisting the demand for six months, he gets rid of it?—Yes; I should not have any hesitation in sueing a man in the county court, or one of the superior courts.

5823. Mr. *Knatchbull Hugessen.*] Cannot you proceed against the person summarily; is he not always liable to an action?—Yes; I venture to say if you made the occupier liable in the first instance, giving him power to deduct the amount from the rent, we should get rid of that difficulty, and get rid of that question about rack rent in the last section.

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5824. Mr. *Mill.*] Are there any other local rates which are levied directly from the owner and not from the occupier?—No.

5825. The only case in which the objection arises is that of paving new streets?—And making the roads.

5826. The pavement is kept up at the expense of the parish afterwards?—Yes; the Act of Parliament works beneficially in this way, stopping all question as to whether there has been a legal dedication, because it provides that after the parish has compelled the owners to do the work for all time, the roads are thrown upon the parish.

5827. Mr. *Kekewich.*] With regard to the assessment, is it posted at the church door or in any place where the inhabitants can see it?—No; we comply with the Acts of Parliament; after the rating has been allowed, notice is given in the ordinary way; it is always kept at the vestry hall, and any ratepayer has a right to see it. The vestry of Islington makes and collects every rate, and we hand over what is required for the poor to the trustees upon their requisition.

5828. You are aware that under the Union Assessment Act the valuation is required to be placed against the church door or in some convenient position where all the inhabitants can see it and appeal if they think proper?—Yes.

5829. But there is nothing of the kind in your parish?—Nothing.

5830. If the inhabitants are aggrieved by your valuation, they have the power of appealing?—Yes; they can appeal against the rate or against their own assessment; nothing can be more beneficial than the course adopted under the local Act of Islington; every inhabitant has a right to look at the rate book for the general rate, or the rating of any district or his own rating, and, if he is aggrieved, he can appeal to the committee which is appointed for that purpose, and if he is dissatisfied with the committee's decision, he can go to the sessions.

5831. Has that committee power to hear evidence?—Yes.

5832. And to decide?—Yes; subject to the court of appeal of quarter sessions.

5833. Every rate is allowed by the magistrate?—Yes.

5834. But that is a mere ministerial act?—It is a mere ministerial act.

Mr. John Edwin Bradfield, re-called; and Examined.

5835. The *Witness.*] I wish to add some explanation of the evidence I gave the other day, in consequence of what has fallen from the previous witness, in order to avoid misconception. The persons living in Camden-road, who came here with their complaints, were principally leaseholders who have paved the whole of their footway up to the carriage-way, therefore there was no such attempt on their part, as seemed to be implied by Mr. Layton in the evidence he has given. The building contract on the Copenhagen estate contains a clause that the lessees shall pave a certain portion of the footway, and that has been done in the case of every house along the Camden-road. The parish made an arrangement with some of the leaseholders, that they would pave the other part, and they did so. In my own case, and in the case of those who attended with me, we had, years ago, paved the whole of our footway right up to the carriage way; therefore, when we came here with our complaints, it was simply this, that in 1863 we had gone with a memorial to the vestry; we had been handed over by the vestry to the highway committee, and they had done nothing whatever to relieve our complaint, until the petition was presented to the House of Commons. That was the sum and substance of the complaint which I made, and upon that I founded the application to take away from the parishes the sole power of levying a rate for the repair of roads and

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footpaths in a country district or in country parishes, such as Islington, where they had neglected for such a long time to apply any portion of the rates to the purposes of general repairs.

5836. As there was a legal obligation on the owners of the houses to pave that portion of the road which was a footpath. What you think the vestry ought to have done, I presume, is to have paved in default of the owners and and then sought the remedy against them?—They should have repaired and maintained the carriage way after the giving up of the road by the Turnpike Commissioners, and also repaired the footway after it had been paved by the owners.

5837. Your complaint was that they neglected the duty which was incumbent upon them, not upon the owners?—Yes.

5838. The duty of maintaining what had been already made?—Yes, the way in which Mr. Layton introduced the case to you gave this aspect to it, that we were making a complaint to relieve ourselves pecuniarily when we were doing no such thing; the charge against the parish is not only with reference to Camden-road, but with regard to others; that there has been very great mismanagement about the Highway Committee, and I think when you find the facts admitted that no steps were taken until the petition was presented, you will see that there was a very serious ground of complaint.

5839. You dispute the statement of Mr. Layton, that before these recent repairs the roads were already in as good a state of repair as could be expected?—The road was maintained by the Turnpike Commissioners up to July 1864, and of course it was then in a very good state of repair, but after that it was abandoned; here and there little holes were filled up, but opposite my house, the New River Company opened to the main, and made a very large hole. I believe the vestry charged the New River Company, or will charge it, with repairing that hole, which they never filled up for some months.

5840. Mr. *Knatchbull-Hugessen.*] Who appoints the highway committee? — They are elected from the vestry. The system adopted by the vestry is this; except in one case of some houses that tumbled down in the Upper-street, I do not think they have ever allowed a deputation, however respectable it might have been, to come before the vestry itself; they always hand them over to the committee, a body of gentlemen who have really prejudged the question.

5841. Mr. *Mill.*] In what way prejudged the question?—They have made the rates and applied them.

5842. You think it is to the vestry collectively that recourse should be had, and not to the highway committee?—I think the vestry certainly ought to receive deputations and not hand them over to committees, but I go further in the remedy which I advocate; I say that there ought to be a power over the vestry in such a case as this, possessed either by the police magistrate or the Metropolitan Board of Works. Mr. Layton also referred to a letter; I should tell you that that letter was received by the chairman of a public meeting, I believe, on Saturday, and it gave him two days' notice to get up a meeting of inhabitants, on a road about three-quarters of a mile long, to go before the highway committee; this letter was sent by the vestry clerk after the matter had been before the highway committee two years and a half.

Monday, 9th July 1866.

MEMBERS PRESENT:

Mr. Ayrton.	Mr. Mill.
Mr. Kekewich.	Mr. Tite.
Mr. Knatchbull-Hugessen.	Mr. Turner.
Mr. Alderman Lawrence.	

ACTON SMEE AYRTON, Esq., in the Chair.

Mr. JOHN CHARLES BUCKMASTER, called in; and Examined:

Mr. *J. C. Buckmaster.*

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5843. *Chairman.*] WHAT are you?—I am attached to the Science Division of the South Kensington Museum.

5844. Are you resident in the metropolis?—I am a resident in Battersea; I have been so for the last 20 years.

5845. Had you taken part in the administration of the local affairs of Battersea?—I have done so 'till within the last year or two. I have for years been interested in the better local government of the parish.

5846. But you have not taken any part in it?—Yes, I have taken rather a prominent part in the open vestry and I have been overseer; I have served other offices in the parish.

5847. Mr. *Mill.*] Have you continued to take an interest in the management up to the present time?—Not much now; I have ceased during the last two or three years to take much active interest in the affairs of the parish.

5848. Had you any reason for ceasing to interest yourself in the matter?—I felt that I obtained so little support from the more intelligent and influential ratepayers of the parish, that it seemed to me hopeless to continue my efforts; I am now perfectly indifferent.

5849. You had reason to complain of the local management, and were opposed to the manner in which it was conducted?—Yes, I was very much opposed to the general local government of the parish. It seemed to me to be committed to persons very respectable in their way, but persons in whom I could feel no confidence with reference either to their judgment on many questions or to the raising and expenditure of such large sums of money as annually passed through their hands.

5850. Would you be good enough to state the points on which you had reason to differ from the vestry, or to disapprove of their conduct?—In the first place, with reference to the Metropolis Local Management Act, I felt that there was a very serious defect in that Act, namely, the want of an efficient audit with regard to the expenditure of the local rates. These rates are never submitted to any efficient auditor, at least in our parish. On one occasion a person was appointed auditor of the local rates, who could neither read or write. We appointed three men annually to be auditors of these rates, but they rarely attend to their duties, and there does not seem to be any power to compel them; they have sometimes said to me, "Suppose we see an item which appears to us very objectionable and improper, or excessive, we have no power to strike it out; and if we did, what would be the result? There is no authority to confirm our disallowance." The auditors are voluntary officers appointed by the ratepayers, frequently against their wishes, and are not paid for their services, as I think they ought to be; one of them told me distinctly, "If I were to go through the audit it would take four or five days, and my time is too valuable. All that I can do is simply to take the vouchers as they are presented to me and sign them."

5851. The auditors, I presume, would not be required to judge of the propriety of the expenditure, but only whether it had been really incurred?—Their statement was that they had no power with reference to the propriety of the expenditure, but were simply to see the receipts. So bad had the collection of our local rates become three or four years ago, that I induced the parish officers to throw up the collection entirely, and to hand the matter over to the district board. It was necessary, I believe, for the overseers to be in arrears before the district board could undertake such a duty. The overseers intentionally became in arrear, and the district board undertook the collection of the local rates and continued it for two or three years. Then there was a change of officers, who thought that they could manage things better than they had been managed with, I think, very unsatisfactory results, for they have to summon nearly one-fourth of the ratepayers every half-year, and this is done just as the new rates are made, which necessitates carrying over large arrears to the rates now in collection, and they took the collection into their own hands. We have had two collectors of the local rates, one of whom went away and refused to give up the books, or render any account, saying that he was not responsible to the persons in office, inasmuch as he was appointed by the officers who preceded them; and the other also refused to render any account, so that proceedings were taken in the Rolls Court, and there was a long lawsuit which ended most unsatisfactorily. I have no hesitation in saying

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that we lost 4,000 *l.* or 5,000 *l.* through the negligence of the collectors of the local rates.

5852. By whom are the collectors of the local rates appointed?—The churchwardens and the overseers.

5853. Then the vestry has no power over them?—None.

5854. Would they have any power of preventing malversations of this sort?—The vestry seems to have no power in our parish; the churchwardens and overseers make all the rates; the precepts are served on them, and the vestries seem to me to have no duties, or, if they have, they never perform them. Last year the vestry was convened only three times; once to elect the four members to the district board; once to appoint three members to the burial board; and once to fix the time for the going out of a portion of the existing vestry.

5855. I presume that the powers which the Metropolis Management Act has conferred on most vestries are, in your case, vested in the district board?—The district board is made up, of persons sent from the vestries every year; we meet for the purpose, the first Wednesday in June, to appoint six men to the district board; one year we had a very severe contest in the parish; we were desirous, if we could, of getting a different class of men into office; after a very severe contest in a parish of 2,500 ratepayers, and collecting rates amounting to 70,000 *l.* or 80,000 *l.* a-year, there were only about 200 ratepayers that voted in the election, although for weeks before we had all the organization of a contested election, with the public-houses opened, and bills and cabs, and everything of that kind; but we failed entirely.

5856. That was with regard to the vestry?—Yes; because we regard the vestry as the source of all power and government. They make out a list of overseers for the magistrates to appoint; they appoint the churchwardens; they send persons to the district board; they appoint members to the burial board, and also form their own local committees to the exclusion of every ratepayer not on the vestry. The election to which I have refered, resulted in the return of three beer-house-keepers who wanted licenses, two retired publicans, a retired tripedresser, a hairdresser, a pianoforte tuner, an undertaker, and others of a similar class; men very respectable in their way, but without either the education or the qualifications necessary for good government. I did all I possibly could in the matter; I wrote private notes to gentlemen to ask them to come down and vote, but they said, "No, we have had enough of it; we do not care to be insulted."

5857. To what do you ascribe this unwillingness of so many persons in the parish to take part in the elections for the vestry?—I believe they are thoroughly dissatisfied with the system; they think it bad; and they see no way out of the difficulty. If you go to the district board, it is perhaps a little better; but in all questions which you would think it was the duty of the district board to deal with, one has great difficulty in inducing them to take action. In our parish we have had long contests with reference to commons and rights of way, particularly in footpaths; and I have long felt that footpaths and right of way, ought to be preserved with the greatest jealousy. I have written 16 letters to the district board, pointing out to them that all the duties exercised by the old highway board are now to be exercised by them; and that one of the duties of the old board was to protect these rights, and preserve the footpaths for the use of the public. But I have had no sort of sympathy whatever from the district board; they have simply said that if I felt myself aggrieved, it was competent for me to take proceedings. That is, that if I liked to go to law upon my own responsibility, and at my own expense, and try the right, I might do so.

5858. If I understand you rightly, what you complain of chiefly, both in the vestry and in the district board, is indifference;—that they do not trouble themselves about public objects?—They do not; they do not perform the duties which they really ought to perform. With regard to nuisances, we have had piggeries and nuisances, of the most abominable character in the parish. At the present time I know of small houses in compound, where the cesspools in the back yards have been overrunning with filth, nearly six inches, for the last two or three weeks, loose bricks have been laid down for the tenants to walk on to keep them out of the filth as they go to the closets. You may ask why has it not been removed? I spoke about it to the inspector of nuisances, and it is to be brought first before a local committee, then the district board; but all this takes time, and the tenants might die with fever or cholera before any action is taken.

5859. A committee of the vestry?—Yes, a committee appointed by the vestry; and the man who is the most active on that local committee is the person who owns the houses, and who says that he expects the tenants to go out; that he is going to see about the matter directly; and there it ends. If you take the person before a magistrate, it is exceedingly difficult to get a conviction. Two or three persons are brought forward to say, "I have lived there a good while; it has never hurt me. It is rather offensive when the wind is in a particular direction; but it is nothing particular;" or, "It is only offensive when they are cleaning out," or something of that kind. Only yesterday, going down a small road, called the Union-road, to church, there was an accumulation of pig manure and cow manure piled up close to the footpath, emitting a most abominable kind of stench. Everybody knows it is no good complaining, so they never trouble about it, but simply submit to it.

5860. What is the constitution of the district board?—The district board is formed by members elected from the vestry.

5861. From the vestries of the different parishes?—Yes. The vestry of the parish of Battersea consists of 24 vestrymen; eight are elected every year, so that the vestry changes every three years. The qualification was formerly 25 *l.*; now it is 40 *l.*; and the raising of the qualification has made it difficult to fill up the vestry; they are obliged to put on the names of men who they know very well will never go to the vestry The vestry is elected in May, and a meeting is convened, I think, early in June, on the first Wednesday, to appoint a certain number of members to the district board. This district board has jurisdiction with reference to the roads, nuisances, sewers, and all the powers formerly exercised by the old Highway Boards and certain duties with reference to supply of gas and water, the adulteration of food, and other powers which are never exercised. It considers the reports of local committees with reference to things

things required in the respective parishes, and decides either for or against the recommendations, according to its judgment. Intense ugliness is the characteristic of almost everything done and sanctioned by the local committee and district board. We have in our small parish about 30 railway bridges over public roads; most of these have been approved by the district board, and they are of all conceivable shapes, widths, and forms, with awkward recesses for all kinds of nuisances. In the High-street the road and footways are not nearly 40 feet wide; but the opening of the railway arch is not 30 feet. The district board is clearly responsible for this encroachment of 10 feet on the width of a narrow public road. I have suggested that ivy, Wisteria Clematis, Virginia Creepers, or trees should be grown over or in front of these unsightly acres of brickwork, which would cost very little; but the board treat such an idea with contempt. They hate trees and everything that is beautiful.

5862. The district board, I suppose, is constituted under the provisions of the Metropolis Local Management Act?—Yes.

5863. What is the extent of the district?—The district takes in Battersea, Tooting, Streatham, Clapham, Wandsworth, and Putney.

5864. So that the extent of the district is considerable?—Taking the boundary of the Thames at Battersea to Putney on one side, and from Tooting to Clapham on the South, on the other, you will get the entire area of the district comprehended by the district board.

5865. If I understand you rightly, the complaints against the vestry and the district board are rather negative than positive. You complain of them for not doing things which they ought to do?—Yes; and we complain that they are for the most part made up of men whose only notion seems to be what they call keeping down the rates, and getting facilities for building compound houses, which become great nuisances in our parish. It is a matter which I think really requires serious attention; 3,000 or 4,000 houses have been built in our parish during the last few years to be placed in compound. If one of these houses were in the rate-book, it would be assessed perhaps at 18 *l.*, but as it is in compound it is only assessed at 5 *l.* or 6 *l.* A whole street, perhaps, consisting of 50 houses, is put into compound at 5 *l.* or 6 *l.* a year, though there would be no difficulty in letting the houses at 20 *l.*, 22 *l.*, and 25 *l.* a year. I know instances of men living in these compound houses who do not pay rates, except by paying a higher rent to the landlord, who are in the receipt of incomes of from 100 *l.* to 200 *l.* a year.

5866. In what manner does putting the houses into compound cause them to be under-assessed?—The man who builds these houses and puts them into compound, says to the churchwardens and overseers, "You see these are weekly tenants, they may go out; the house may be empty, but whether it is empty or occupied, I will pay the rates regularly." The churchwardens and overseers think that that is a capital offer, that it will save the collector a great deal of trouble, and that they will be sure of their money. The consequence is that the houses are put into compound, and that is often the qualification for a man to be on the vestry. If it were not for this compound property, there would be eight or nine men now on the vestry who would be disqualified.

5867. In order to have the security of the owner for the rates, they are willing to compound with him for a much lower amount, provided it is paid throughout the whole year, whether the house is occupied or not?—Exactly.

5868. Mr. *Knatchbull-Hugessen.*] That is on the principle of the Small Tenements Act?—Yes.

5869. Mr. *Mill.*] Is there any private Act in force in Battersea?—I believe there was a small Local Act of Parliament obtained some years ago. At that time the parish was almost entirely market garden ground, and the small houses were occupied by men who were engaged in cultivating this ground. I dare say they were very few poor men, receiving more than 12 *s.* or 13 *s.* a-week, and it was sometimes felt difficult to get the rates from them. A solicitor, with the consent of the churchwardens and overseers obtained an Act of Parliament for the purpose of putting this property into compound, and that Act of Parliament (which was obtained under circumstances very different from the present condition of the parish), has continued in operation to the present time. The existing owners of compound property take advantage of it, and the houses are put in at a third of their value.

5870. *Chairman.*] Is that allowed under the Act?—Yes, under this local Act.

5871. Mr. *Mill.*] As you have so unfavourable an opinion of the existing management of the parish, will you tell us what improvements you would recommend, in order to prevent the evils to which you have referred?—I am perfectly sure that so long as the present system remains, the most influential, intelligent, and respectable portion of the parish will have nothing to do with it. Looking over the minute books of 50 or 60 years ago, I find that the management of the parish was then in the hands of the most influential persons, whose character and position in the parish was a sufficient guarantee against those petty interests, selfishness, personalities, jealousies, and vulgarities, which characterise our present system. We have gradually dwindled down, until we have got to the present state of things. With regard to the changes I would propose, if the present system is to be continued, I think the most important thing would be to have some arrangement with reference to the levying and collection of the rates, because it is monstrous, that in a parish like ours, with only 2,500 ratepayers, and houses in compound up to the value of 20 *l.* a-year, we should have to summon every half year 500 or 600 persons for rates, and carry over from the rates now in collection to the rates to be collected, something like 900 *l.* or 1,000 *l.* a-year.

5872. Mr. *Knatchbull-Hugessen.*] Is there no limit in your Act as to the amount at which houses may be put into compound?—I believe it is up to 15 *l.* a-year. I may say, however, that houses appear to me [to be placed in compound under the provisions of this Act, where the full rates ought to be paid by the tenants.

5873. You mean that the class of tenants which occupy the houses, would be of that character, that there would be no insecurity in trusting them to pay the rates?—I think, with regard to very many there would be no doubt whatever. If they can afford to pay their rent of 7 *s.* 6 *d.* or 8 *s.* or 9 *s.* per week, there would be no difficulty in making them pay their rates.

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5874. Mr. *Mill.*] What length of time are the rates compounded for?—There is no time specified, but if one of these compound houses should become a beer shop, or any other kind of shop, then I believe the occupier is rated. I do not believe that the overseers and churchwardens have the power of putting them out of compound after they have once accepted them without giving the owner a reason for so doing, which is rarely done.

5875. Mr. *Knatchbull-Hugessen.*] The vestry has power, I apprehend, to put the houses into compound, or to put them out?—The vestry has really nothing whatever to do with this matter; it is the churchwardens and overseers.

5876. The Local Act applies to the whole parish, irrespective of any powers of the vestry?—Irrespective of any powers of the vestry.

5877. *Chairman.*] You do not know the details of the Act?—I do not.

5878. What is the Act?—We know it as "Pain's Act."

5879. Do you know when it was passed?—I think about 1840.

5880. Mr. *Turner.*] Suppose these houses once get into compound, how are they to be got out?—The owner can take them out.

5881. If the owner compounds for 5 *l.*, the house being worth 25 *l.*, he will never want to take it out?—No, and of course never does.

5882. Suppose the parish or the proper authorities want to take it out of compound, what power have they?—I do not know of any case of the kind, excepting the case of a house being converted into a shop.

5883. There must surely be some power to take these houses out of compound?—I do not know what the power is. I frequently hear of houses being taken into compound, but never hear of their being taken out, except when they become shops.

5884. The owners, of course, would not desire to do so, but there must be some power on the part of the authorities?—I do not know who would have the power; I should not be able to do it.

5885. Why not?—I am sure the feeling of the vestry would be against me.

5886. Suppose the vestry was with you?—Then no doubt we should take some proceedings. I do not know what the powers of the Act are.

5887. Have the churchwardens power to compound, or do they compound without first getting a valuation from a surveyor, or some authority of their own?—The churchwardens and overseers think themselves competent to decide all that.

5888. They do not refer the question to the surveyor, or some competent independent authority to judge between themselves and the owners?—Never. The churchwardens and overseers take a cab and go round, and in the case of compound houses, the man who built them generally meets them, and they talk the matter over. The man says, "I wish to put these houses into compound." Then the churchwardens and overseers look at them and say, "What do you think they are worth?" "Well," he says, "about 18 *l.*" "Very well," say the churchwardens and overseers, "put them in at 5 *l.*; you cannot object to that," and they are put in at that figure, and there they remain.

5889. That is the process that takes place; when the houses are worth 20 *l.* or 25 *l.* a year, they are put in at 5 *l.*?—Yes, 5 *l.* or 6 *l.*

5890. Mr. *Mill.*] You mentioned that there were frequent arrears of rates, and that it was necessary to summon, every half year, five or six hundred ratepayers out of a total number of not more than 2,500; to what do you ascribe those arrears and the necessity of summoning the ratepayers?—The last half-year we summoned nearly 600 persons for their rates; the collectors of the local rates are appointed by the churchwardens and overseers; the churchwardens and overseers are a changing body; entirely new men may come into office, and they are in the hands of the collectors; they do not understand the rate-book, and perhaps have never seen one, so that when they are placed before them (very often, as in our parish, in a very confused and imperfect state) it is very difficult for them to make them out; as soon as the precepts are served upon the churchwardens and overseers, either for the local rates or poor rates, the collectors go round to the public companies, and the respectable people on Clapham Common, where they know they have only to deliver a paper and call the next morning for a cheque; they collect all the large sums of money first, so as to meet the precept as quickly as possible, and they get the other when they like.

5891. Then the want of looking after the collectors of the rate is the great grievance in this case?—Yes; the churchwardens and overseers say, "We are not going to incur any unpleasantness with the collectors; they have many relations and friends in the parish; we shall soon go out of office and have nothing more to do with the matter." They tell me, that with reference to the collector of the poor rates, they are absolutely powerless; that although they are responsible for the collection of these rates, they have no power to remove the collector except for dishonesty.

5892. Is the collector appointed for life?—He is appointed by the guardians for life if he likes to retain the situation.

5893. And have the guardians no power to remove him?—Yes; but the guardians are made up of persons from other parishes, as well as Battersea, and any attempt to remove the collector would probably not be successful; I have written to the Poor Law Board two or three times about the collection of the poor rates; unless you can show that a man has positively done something that is criminal he is allowed to go on.

5894. Mr. *Knatchbull-Hugessen.*] Do you mean to say that the smaller ratepayers escape payment?—I believe they do.

5895. And the larger ratepayers are so supine in the matter, that they are content to pay other people's rates, which of course will be the practical effect?—I believe many of the larger ratepayers are of the same opinion as I am, that many of the rates are never paid at all, but they never trouble themselves about it, beyond a grumble. A man who has to pay 50 *l.* or 60 *l.* for rates, sees the notice paper. He does not go into the question as to whether all the previous rates have been collected, or whether the rate is excessive, that is beyond the requirements of the precept; he does not even see the collector. He takes no trouble, except simply to write a cheque, and leave it with the servant, and there is an end of the matter.

5896. Mr. *Mill.*] In what manner are the collectors paid—by a percentage?—Yes; and that makes

makes it rather a disadvantage, because the collectors do not care about taking the trouble to get these small sums. They may go out, and in one morning earn 10*l.* or 12*l.*, or 20*l.* by per centages, which it would take two or three weeks to earn by the collection of small rates. That is made use of in favour of this system of compounding.

5897. What would you propose by way of remedying these inconveniences?—I would propose that there should be more direct responsibility to some permanent, and, perhaps, paid body. The churchwardens and overseers are a changing body, and it takes them some time to become thoroughly acquainted with the duties of their office, so that they are absolutely in the hands of the collectors, and many parochial officers never do understand or try to understand the many important duties which attach to their office.

5898. To what body would you entrust this control?—I think with reference to the poor rate, the Poor Law Board ought to have more authority. I think their power should not be limited simply to seeing whether the money had been legally expended. I think they ought also to see whether it has been properly collected, and whether the assessment of property is just, and whether the rates made are excessive. Their functions seem now to be limited to the expenditure and not to the collection, which they say it is the duty of the churchwardens and overseers to superintend.

5899. In regard to the other local rates?—With reference to the local rates, if the present system continues, I think the district board should be made responsible for the collection of the whole rate in the district, which should be uniform, subject to a paid auditor, and some more direct supervision and responsibility. For the protection of the ratepayers, and some easy method of compelling the district board to do its duty.

5900. You mean, if the present local government by vestries and district boards continues?—Yes; I think it might be patched up in that way.

5901. Do you think it is desirable that that system should continue?—I think it very undesirable; it is most expensive and inefficient.

5902. What would you suggest in lieu of it?—It is very difficult to suggest anything, but my impression is, that a larger organization is necessary. You do not want a small organization for Putney, with its local board, its vestry clerk, surveyor, inspector of nuisances, medical officer, and all the paraphernalia of a great government, and then the same thing repeated at Streatham, at Tooting, at Clapham, at Wandsworth, and at Battersea. All this machinery is expensive; you cannot have vestry clerks and surveyors in all these little parishes without paying them, and it seems to me that if all these parishes were united into one, the district would not be larger than some of the municipal corporations in the midland counties and other parts of England, and they would have the advantage of being under one jurisdiction.

5903. It would appear, however, that the district board is in some degree a kind of experiment, on the principle of management by larger districts; but you do not consider that experiment to be successful?—I think it has been a failure, because they seem to have very limited powers, for they are very indifferent to the exercise of the powers they have.

5904. What would be your reasons for expecting a less degree of indifference, and a greater degree of vigilance and activity, in the exercise of their powers, from a body otherwise constituted?—If you had a larger area of government, you would, in all probability, have a larger number of intelligent men willing to take office. You may reduce the total number of men, but with a large district I think you would get a better class of men although you had a smaller number. I think if the whole thing were in some way centralised, so that you could get more direct responsibility and authority, it would be a great advantage. The district board is in very many instances powerless. A man wants to build a row of houses; the surveyor and local board report against it; the plan is taken to the district board, and they in all probability confirm the decision of the local committee or board. Then the man goes to the Metropolitan Board, and shortly afterwards, without any sort of communication with the district board or surveyor, you may see him digging out a foundation. You ask him what he is doing, and he says, "It is all right." You say, "No, it is not; the district board have refused." "Yes," he says, "but I have got permission from the Metropolitan Board."

5905. Mr. *Tite.*] Did you ever know a case in which the Metropolitan Board did not communicate with the district board before giving a decision adverse to that district board?—Yes; that was the case with regard to the building of cottages in Falcon-road.

5906. Were not the parties fairly heard before the Metropolitan Board on that subject?—The district board refused this man permission to build, and the Metropolitan Board gave him permission.

5907. After hearing both parties, I suppose?—The district board refused, and I suppose assigned a reason for refusing. This man then went to the Metropolitan Board.

5908. Was not the district board fairly heard before the Metropolitan Board, and probably attended by counsel?—No; certainly not.

5909. Were they fairly heard or not?—I do not know whether they were fairly heard. I have no doubt the man who wanted to build made out his case.

5910. Mr. *Turner.*] Did the Metropolitan Board, before giving this decision, give notice to the district board, or refer the matter back?—No, it did not refer the matter back.

5911. Do you mean that they did it behind the backs of the district board?—They did not refer this back to the district board, and the members of the district board complained of it at the time, and said that the Metropolitan Board ought to have consulted them before giving permission.

5912. You mean that the district board having refused this man permission to build, he applied to the Metropolitan Board, and they gave him permission without giving notice to the district board?—Yes.

5913. What case was that?—It was the case of some cottages (Offord cottages, they are called) in the Falcon-road.

5914. How long ago was that?—About three years. I can also give you another case; the Rev. Samuel Bardsley was anxious to build some schools, and he submitted his plans to the local

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board and the district board. The local board refused permission, and the district board confirmed the refusal.

5915. What do you call the local board?—A small board which consists of men who go to the district board vestry. They sit once a week to take up questions to the district board.

5916. It is not a board that is authorised or recognised by law in any way?—It is a committee called the local committee, which consists of members who sit at the district board. They meet the surveyor once a week, and talk over these matters about new houses, paving, lighting, and draining, and report to the district board on the following Wednesday. The other parishes have the same boards.

5917. Are all the members of this committee members of the district board?—Yes.

5918. Mr. *Knatchbull-Hugessen.*] The committee is the channel through which each parish communicates to the district board?—Yes.

5919. Mr. *Tite.*] Who represents you at the Metropolitan Board?—Mr. Carpmael.

5920. Was not this matter with regard to the Falcon-road referred to him?—I am not sure he was on the Metropolitan Board at that time.

5921. He has never been off it?—If he were present at the district board, he must have known about it.

5922. Do you not know that he is an eminent engineer and a man of great activity?—I know that he is not always at the meetings of the district board. Mr. Bardsley wanted these schools built, and he submitted the matter to the local board. He told me that he was grossly insulted there. The district board on the report of the local committee refused the application. I met Mr. Bardsley coming away from the place, looking very pale and agitated. I said, "Where have you been?" He replied, "I have been down to the local committee, and I will never go there again, for they have insulted me about building the schools, and they will not allow me to build them as I wished." I said to him, "Take your plans and your case (for I think you have a good one) to the Metropolitan Board."

5923. You did not tell him to go to Mr. Carpmael?—No; I told him he had better not after the refusal of the district board. He went to the Metropolitan Board and saw one of the architects, who came down and looked at the place. Mr. Bardsley afterwards began to build the schools before the district board that had refused him permission to build knew anything about it. I mention this merely to show that if I had a refusal from the district board, I should not regard it as binding; but I should think the very fact of their refusing would be a strong reason why I should succeed with the Metropolitan Board.

5924. Mr. *Turner.*] I understand that your accusation is this, and it is a serious one if it is correct, that when a gentleman goes first of all to the local board, and meets with a refusal, and then goes to the district board which confirms that refusal, he may go to the Metropolitan Board who may upset the previous decisions, and either grant or refuse permission without giving notice to the district board that the matter is under consideration?—Yes.

5925. *Chairman.*] When did this case occur to which you have last alluded?—Not much more than a year ago. Mr. Bardsley is the Incumbent of Christ's Church Battersea. I can also give you another case; I wanted to build two bay windows; I never dreamed of applying to the local board because I feel certain they would have refused me; they would have talked about breaking the line of frontage; and would have given me trouble, because I do not think they regard me as a friend.

5926. It was a case of personal dislike?—Yes; I then went to the Metropolitan Board who saw no difficulty whatever, and I did it.

5927. Mr. *Turner.*] You made application to the Metropolitan Board, who without communication with the district board gave you permission?—Certainly.

5928. Mr. *Mill.*] I understand you to say that you do not think the district board a successful experiment?—I do not.

5929. And you would wish for an experiment on a still larger scale?—Yes, under very different arrangements.

5930. In what manner would you have it conducted; how would you constitute the local administration so as to be in your opinion better?—The district board is made up of the same class of men as the vestry. A man must first of all be on the vestry, that is, he must be assessed at 25 *l.*, or 40 *l.* a year as it is now; from the vestry he is sent to the district board. Now as the vestry is, so will the district board be, and I say that the vestries of our parishes are not of such a character as to ensure that public confidence which I think such an administration ought to ensure.

5931. Should you think it preferable that the members of the district board should be elected directly by the ratepayers?—I think it would be much better.

5932. You think that a superior class of persons to those who constitute the vestry, would in that case be willing to serve on the district board?—I think that is very probable: the election to the district board by the vestry is a very easy matter; half a dozen men meet together and go through the form of a ballot, but it is no ballot whatever. One man says to another, "We shall vote for Brown, Jones, and Robinson, and you vote for the same; the list is then put into a hat, and Brown, Jones, and Robinson go to the district board.

5933. The members of the district board are elected by the vestry from their own number?—Yes.

5934. Do you think that the vestry usually selects its best men for that office?—I do not. There are certain men who are very anxious to be on the district board.

5935. You think that it is more often for the convenience of the persons elected, than for the benefit of the public that the choice is made?—Yes, and perhaps they are anxious for the little position, which, being on the district board, gives them, meeting as they frequently do, more respectable men from other parishes.

5936. Do you think that if the district board was elected by the ratepayers, you would get better men to serve on it?—I think if you had a direct representation to the district board, without any assessment qualification, you would get a better class of men, because other men would become candidates. No person has now any chance outside the vestry.

5937. Mr. *Knatchbull-Hugessen.*] Have you ever been a candidate for the district board?—Never. I am not even qualified to be on vestry.

5938. Mr. *Mill.*] I think I understood you to say

say that, besides what you consider a defect in the mode of electing the district board, its powers are not sufficient?—I think its action, with reference to the collection and expenditure of rates, is not under that control and supervision which it ought to be.

5939. You think that they have sufficient powers, but that those powers are not sufficiently controlled?—They do not exercise them. With reference, for instance, to the footpaths across Wandsworth Common, I wrote 16 letters to the Wandsworth district board, but I received no assistance whatever from them. I then appealed to the district board, with reference to the enclosure of about 10 acres of ground by a railway company, which were not required for the purposes of their Act, and I asked in a friendly way if they could tell me by what authority all this was done, but they refused to give me any assistance or advice.

5940. Was that within the legal power of the vestry?—It was quite within the power of the district board, and it was their duty to have inquired into the matter.

5941. Do you consider that the extent of the district over which the district board exercises its authority is sufficient, or would you have a still larger district?—I would have a larger district, without increasing the number of men. I am not quite sure whether in every case voluntary service is good service, it is never felt as a responsible service. A man neglects his duty, but what of it? You cannot expect him to give up his time without some equivalent. Those who do the public work should be paid for it.

5942. You would wish to have paid officers to perform the duties now performed by these bodies?—I think there should be more paid officers; you would then have greater and more responsibility and supervision.

5943. Do you think that there should be paid officers only, or that there should be paid officers to constitute what may be called a local executive, and a more popularly constituted body to vote the rates?—I would keep up the present system of popular election, and extend it if possible, but I think there should be some other more responsible body, and perhaps it would be a matter of consideration, and more desirable, that some portion of that body should be permanent and paid, but responsible to some other and higher authority.

5944. You think it would be a good plan to have paid officers for every branch of administration, who should be responsible to an unpaid body elected by the ratepayers?—Something of that kind.

5945. By whom would you have these paid officers appointed?—The appointment of these paid officers would, perhaps, be a difficulty. I have not thought the matter out.

5946. Do you think it would be a good plan that there should be a permanent chairman of the elected body, and that this permanent chairman, who might be paid or not as might be thought advisable, should be the responsible head of the local administration, should be responsible for the appointment of proper persons to all the paid offices?—I would not vest the appointment of the paid officers entirely in the hands of such a person; I think there should be some board with which he was acting that should have some power in the matter, or the appointments might become jobs.

5947. By supposition he is the chairman of the elected body, and, being chairman of the elected body, holding the same relation to it as the Lord Mayor does to the Common Council, might be either the responsible person to appoint the executive officers himself, or propose them to the elected body?—Yes.

5948. And in that case there would be, perhaps, a responsibility which you think is at present deficient?—I think, perhaps, that would meet the difficulty. At present, we have several paid officers; we have a clerk to the board, a surveyor, and two or three clerks; that is the organization for the district board simply. In our parish we have a paid vestry clerk, who does as little as possible, and another clerk, and we have three paid officers. It seems to me, that if all these offices were fused into one, it would be more economical for the ratepayers than having the present number of paid servants.

5949. You think there is no use for the vestry, and that it would be sufficient to have the larger district with a proper organization an elected council, and the requisite number of paid officers under them without having any on a smaller scale?—Yes, and when I tell you that last year the elected vestry only met three times, you can form an estimate of how unimportant the vestry has become.

5950. The vestry existing at the present time is merely an electoral body to appoint these other persons?—Yes.

5951. *Chairman.*] Do they elect the churchwardens and overseers?—They elect the churchwardens, and they prepare a list of overseers to be presented to the magistrates, who as a matter of courtesy take the first names.

5952. You have referred to the Local Act for ascertaining and collecting the rates of Battersea, but you do not appear to be aware of the fact that, according to that Act, the owners of dwelling houses of a yearly rent not exceeding 15 *l.* only, may be rated instead of the occupier; can you explain how it is that houses of the value of 20 *l.* and upwards are rated to the owner instead of the occupier under this Act?—I do not know how that is; but that it is a fact I am quite sure.

5953. You feel satisfied in your own mind that houses above the value of 15 *l.* are compounded for?—Yes; houses which are now letting for 8 *s.*, 9 *s.*, and 10 *s.* per week.

5954. Mr. *Mill.*] May not that fact be owing to the very considerable rise that has taken place in the value of property in many parishes, so that houses originally not worth more than 15 *l.* a-year may now be worth 20 *l.*?—That will apply, no doubt, to a very large amount of property in the parish, but not to all of it. I believe there is a kind of understanding between the churchwardens and overseers, and the owners of these compound houses. Supposing the churchwardens and overseers to be themselves owners of compound houses, to any extent (and we have had abundant instances of that), of course they would do the thing very lightly for themselves.

5955. Mr. *Turner.*] I understand you to say that before this composition takes place, there is no means of ascertaining the actual value of the premises; that the parties go down and talk over the matter with the owners, and without calling in any professional opinion as to the actual value of the property, put it down at 5 *l.*,

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or 10 *l.*, or 15 *l.*, at their discretion?—That is the fact. It is the churchwardens and overseers only who put this property into the rate book.

5956. *Chairman.*] Correcting again your impression with regard to the Act, by the fact that the compound value is not to be less than half the amount of the actual values, do you still think that the amount is lowered to one-third?—Yes; and that is the principle upon which they have been proceeding for some time. Although the Act of Parliament is quoted in our parish as the authority, I doubt whether any of the churchwardens or overseers that have been in office during the last six or seven years, have ever seen it. There are certain men in the parish who know something about it, and are always quoting it. We have a vestry-hall, but the Act of Parliament is not there, nor anything else that ought to be there.

5957. Mr. *Turner.*] In point of fact, though that Act specifies that no houses shall be compounded for above the value of 15 *l.* a-year, houses of the value of 50 *l.* a-year might be compounded for as of the value of 15 *l.*, and you have no check?—No; and suppose I felt aggrieved, what remedy have I? only to grumble.

5958. Mr. *Tite.*] The gentlemen who do this must be either ignorant or fraudulent, because these provisions are perfectly well known, applying as they do to other parishes as well as yours. Do you still mean to suggest that the overseers and churchwardens have had individual interest, and have compounded for property belonging to themselves?—I say that overseers in our parish, when they have been overseers, have arranged for the compounding of their own property. I do not say whether they have put it at a high or a low figure, but the presumption is that they have put it in as low as possible.

5959. It is not difficult to ascertain whether a house is worth 15 *l.* or 20 *l.* in a parish like Battersea; you or I, or any gentleman who took any pains about it, could easily ascertain that; it does not want a surveyor?—I should think it would be very much better for the ratepayers if we had a surveyor.

5960. You have a surveyor, but he is not called in?—No; the district board will not permit him to render any assistance or advice in these matters.

5961. Is there any difficulty in knocking at the door of a house and asking how much rent the tenant pays? Could not that be done by the churchwardens and overseers?—I have on one or two occasions gone to some of these houses, and said, "Will you be good enough to tell me what rent you pay?" and the answer has been, "What odds is that to you? you are not my landlord." That is the answer I have received when I have called at some of these compound houses in several of the streets in Battersea; another person will ask, perhaps, "What do you want to know for?"

5962. The answer to that would be, on the part of the churchwardens and overseers, that they had a solemn legal duty to perform, and were responsible for the performance of it; and, in that case, I suppose they would receive a civil answer?—In some cases they do that.

5963. What difficulty is there in ascertaining the fair annual value of a row of houses without a surveyor?—There is, perhaps, no difficulty, but it is not my place to do it.

5964. You say they do not do it?—I say they do not do it in a way at all just or satisfactory.

5965. Is there any incompetence on their part to explain why they do not do it?—We might have surveyors who are by no means competent, from their experience, to judge of the value of a house except by analogy.

5966. Then, of course, they ought to make inquiry, and inform themselves, as well as they can, and if they felt any difficulty it would cost them nothing to call in a surveyor?—Out of what fund will he be paid?

5967. In our parish he is paid by a salary, and I believe it is the same in Battersea?—Yes, with this understanding, that he is not to do anything except by permission from the district board, which is never given. We cannot call in the surveyor to give any assistance or advice upon any question, and the consequence is that we have to appeal to Mr. Charles Lee, who is called in about railways, gas, and waterworks, and other difficult property.

5968. I believe the whole of the parish has been valued by Mr. Lee?—Yes; some years ago.

5969. And, so far as that goes, there is no difficulty in ascertaining his opinion?—Since then the assessed property in the parish has more than quadrupled.

5970. Is there any difficulty in law in the way of the churchwardens and overseers asking the opinion of Mr. Charles Lee or any other surveyor, with regard to the value of these houses?—The churchwardens and overseers put the house property in the rate-book themselves. Even the houses that are not in compound vary very much. After a person has been living in the same house for several years, the landlord will say, "I will not alter his rent," but when he goes away it is increased; and sometimes it happens that five or six houses in the same row are given at different rentals, and therefore differently assessed. I may mention a circumstance that happened with reference to raising the assessment of some compound property in Union-road. The churchwardens and overseers thought that it was under-assessed, and they increased the assessment something like five per cent., but the owner of the property immediately raised his rent nearly 25 per cent., but the assessment was not altered.

5971. Mr. *Turner.*] These are weekly tenants?—Yes.

5972. Is there, or is there not, a great disinclination on the part of those weekly tenants to say what rent they pay?—The owner of the compound property is generally present at the time the assessment is fixed, and, perhaps, before the houses are let, he says, "I shall let them at so much a week." Then the assessment is decided, and the houses are put in the rate-book accordingly; but the landlord probably lets them at 6 *d.*, 1 *s.*, or 1 *s.* 6 *d.* a week more than the sum mentioned.

5973. Suppose you went afterwards to the different houses, would you find that the people would readily tell you what rent they paid, or would there be any disinclination on their part?—In some instances there would be no difficulty; in others there would be difficulty; but it is not likely that you could get four or five gentlemen in any parish to call at two or three thousand houses, and obtain all this information for the purpose of getting a careful and accurate assessment of every house.

5974. Mr. *Tite.*] Do you know that in almost all parishes there is a rating committee, who take the matter into their own hands, believing that they are perfectly competent to judge of the value of the property, and to make an assessment without any assistance?—That is not so in our parish. When I was overseer, I felt that this system was a bad one, and that a good deal of the compound property was under-assessed. I accordingly raised the compound property in several instances, and the result was that at the next election of overseers, it was made a point against me, and I was put out of office. They went to the magistrates, and advised them not to appoint me again, because I was disturbing the existing state of things. And who do you think was appointed? The very man who owned these compound houses, and he put them down again to the point where they were before.

5975. Do you know if it is the usual practice in London parishes to have the assessment made by a rating committee either of overseers or churchwardens or of vestrymen, as the case may be, and that they do it without calling in any assistance?—The churchwardens and overseers do it in our parish.

5976. *Chairman.*] Battersea is part of a union for the administration of the Poor Law?—Yes; Wandsworth and Clapham Union takes in the parish of Battersea.

5977. Has there been a rating committee appointed by the board of guardians for the union?—I think there has been an assessment committee appointed.

5978. Have they examined into the assessment of Battersea?—They do not, I believe, consider it to be their function to inquire into the justice of the assessment. You have simply to appeal against your own assessment if you think it too high. The churchwardens and overseers, as I understand, put before these persons the new assessments, and they are in most cases sanctioned, if no objection is raised. If I object to an assessment as being too high, I can appeal before the assessment committee. I am ignorant of other functions or duties they may have.

5979. That has been the course pursued in the Wandsworth Union, as far as you know?—Yes, as far as I know. The new property is presented to the assessment committee, and if I object to an assessment in consequence of its being too high, I can appeal.

5980. Mr. *Knatchbull-Hugessen.*] You may object to the assessment if your rating is too high in comparison with anybody's else?—I should not like to complain of my neighbour, and say, "There is a man whose house is twice as large as mine, and yet he is rated at the same figure." It is an unpleasant duty to perform, and I have no doubt frequently influences the churchwardens and overseers in the assessments of their neighbours and friends. It ought to be decided by some perfectly independent and paid officer, who should be prepared to maintain his assessment against all objections.

5981. *Chairman.*] Are there many persons in your parish of independent fortune?—Yes, a great many; the most wealthy portion of the inhabitants are on Clapham-common.

5982. Then there are a large number of houses assessed at a considerable sum?—Yes; some as much as 150 *l.* and 200 *l.* a-year.

5983. But none of the occupants of these houses are elected to the vestry or the local board?—Never.

5984. Mr. *Tite.*] Is that because they do not choose to take the trouble, or because they would be opposed?—Because they do not care about meeting the persons they would have to meet.

5985. You think that?—I am sure of it.

5986. *Chairman.*] Are the vestry elected in wards?—No.

5987. There is a list for the whole parish?—Yes; 24.

5988. Do you think it desirable that they should be elected in wards?—I do not think that would very much alter the character of the persons elected. I think we should have the same class of men.

5989. Do you know whether the same system of compounding has been pursued in other parishes, in Wandsworth and Clapham Union?—I believe it has to some extent in Wandsworth, but I am not certain on that point.

5990. Do you think that houses have been rated above 20 *l.*, as compound houses?—Yes.

5991. And that they have been rated at less than half the amount?—They have been rated at less than half their annual value.

5992. Are those the two largest parishes in the union, Battersea and Wandsworth?—I should think that Battersea is decidedly the wealthiest parish in the union, and perhaps Clapham is next. Wandsworth is a comparatively small parish, and Putney, I believe, is still smaller.

5993. How do you account for the Clapham guardians allowing the parish of Battersea to be so much under assessed for the union rating?—I do not think they have given much attention to the matter; we were told that there would be under this new assessment an equalization of rates in the union. Ever since I can recollect, our poor-rate has been about 1 *s.* in the pound twice a-year; but we have now a poor-rate of 1*s.* 4*d.* in the pound. When I inquired about it, I was told that it was in consequence of the New Assessment Committee equalizing the rate. At Wandsworth I found that they had only a shilling rate, so that the equalization seems to have had the effect of reducing the rates at Wandsworth, which were formerly about 2 *s.*, and raising ours to 1 *s.* 4 *d.* I should have thought that there ought to have been a uniform rate in all the parishes of the union, but this is not the case.

5994. The rate must be uniform upon the assessment, for the purpose of the poor-rate, according to law?—I do not understand why we should have, in the parish of Battersea, for this half-year, a poor-rate of 1 *s.* 4 *d.* in the pound, and Wandsworth only 1 *s.*

5995. Perhaps there are some arrears with reference to the building of the workhouse or loans?—I do not understand it; formerly it was the reverse; the Wandsworth rates were always low in comparison with Wandsworth; nearly two-fifths of all the rates in our parish are paid by large railway and other companies.

5996. Mr. *Tite.*] You said that you thought the gentlemen on Clapham-common would not go to the vestry, or district board, because of the men they were likely to meet there; you do not think that they refrain from attending because they will not take the trouble?—I think all the men who live in the parish are anxious for the welfare and good government of the parish; but somehow or other these persons have withdrawn entirely

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entirely from all care or interest in the parish beyond occasionally grumbling. Our accounts, charities, assessments, and collection and expenditure of rates, are most unsatisfactory.

5997. Mr. *Kekewich.*] Is the Union Assessment Committee elected by the board of guardians, and are the members well acquainted with the locality?—I do not know how they are elected; there is a great deal of property always growing up in a parish like ours, which these people cannot know anything about unless they make it their special business to go through it; they must, therefore, depend on the representation of others.

5998. Mr. *Tite.*] Do they not go and see it?—No, except by accident.

5999. Mr. *Kekewich.*] Suppose they see two houses side by side, one valued at 10 *l.*, and another at 15 *l.*; is it not their duty to take care that the 10 *l.* house should be put up to 15 *l.*, or the 15 *l.* house put down to 10 *l.*, supposing that to be the proper value?—In all probability that would escape their attention, unless it was specially pointed out by some one who knew it, and objected to the inequality. If you were on an assessment committee, and riding or walking through a parish, saw two houses in that way, it is doubtful whether you would carry the circumstance in your mind till you came to the assessment committee in a fortnight's time, and saw how the houses stood in the rate-book, unless there was some special circumstance which had directed you to the consideration of the assessment.

6000. Ought there not to be some controlling power with regard to the assessment?—I think there ought to be, but who is to put it in action?

6001. *Chairman.*] Your complaint is, that the local authorities do not perform their duty in a just and satisfactory manner?—I think they do as well as they can, but it is not in the nature of things to expect a constantly changing and unpaid body to give that time and attention which these things require; the magistrates used to hear appeals; but that function is now transferred to the assessment committee.

6002. Have you considered whether it is desirable that the inhabitants of your parish should have an opportunity of electing a member to the Metropolitan Board to represent them directly?—The Metropolitan Board is an irresponsible body; it has enormous powers, which it exercises without any control. I do not see how direct representation from the ratepayers would alter this, although it would be better than the system of sending men through the vestry and district board.

6003. I am asking you whether you think it desirable that your parish should elect a member to that board, which would make them responsible?—If the Metropolitan Board were directly responsible to some other authority, so that anything they did might be called in question and decided upon, I think it would be much better for the government of the parish that we should elect one or two men to that board, rather than transfer the government as it now is, to a lot of irresponsible boards and committees.

Monday, 16th July 1866.

MEMBERS PRESENT:

Mr. Ayrton.	Mr. Locke.
Mr. Knatchbull-Hugessen.	Mr. Mill.
Mr. Kekewich.	Mr. Tite.

ACTON SMEE AYRTON, Esq., IN THE CHAIR.

Mr. JOHN FULLER, called in; and Examined.

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6004. *Chairman.*] I BELIEVE you reside in Islington?—I do.

6005. Are you a member of the vestry of Islington?—I am.

6006. How many years have you been so?—I was three years in the vestry, from 1859 to 1862; and then I was out till the May elections of 1865, when I was returned.

6007. What is your occupation?—I live on my means; I do not follow any trade or profession.

6008. Have you taken much interest in the proceedings of the vestry with reference to the highways committee?—A great deal; although I have never been a member of that committee, I was nominated on two or three occasions. I suppose they thought I should be rather too troublesome a customer, and they would not elect me.

6009. Have you looked into the proceedings of that committee?—I have, very much.

6010. Have you found them satisfactory or otherwise?—Quite the contrary. Some 12 months ago there never was an issue of the local press without one or two, and in some cases three letters from the inhabitants, complaining of the wretched state of the roads. Indeed, our main thoroughfares are not in really good repair; they are not properly attended to, but in the outlying districts of the parish many of the roads are in a most deplorable and wretched state.

6011. Have you taken any steps in consequence of these public notices?—I have attended public meetings of the ratepayers, and I have presented memorials from them, calling upon the vestry in some cases to put the Act in force, and compel the owners to pay the money. I will mention one case which was brought before the vestry, that of Redcap-lane, as it is called, near the foot of Highgate-hill. It was originally an old bridle way, and is evidently under the jurisdiction of the parish; indeed, they have kerbed it about 150 yards down the road, and within the last year and a half have completed a three foot nine inch sewer for upwards of 300 feet. The road was in a deplorable state before, but they made it ten times worse; in winter time it was positively unsafe for vehicles to pass. Up to this hour no steps have been taken to improve that road, although it is a thoroughfare leading into a large freehold estate belonging to the Birkbeck Freehold Land Estate, where there are 20 or 30 acres laid out for building; their own roads are made, and at this time there are a considerable number of houses on the estate.

6012. What has been done by the vestry in consequence of the memorials you have presented?—They have passed them by, they have referred them to the highway committee, but they might just as well have put them into the fire, for nothing has been done.

6013. The committee have not taken any steps in consequence?—In very few instances. I remember one case with reference to the Ball's Pond Road; I presented two memorials to the vestry numerously signed, one of them by about 140 inhabitants. To that memorial the vestry paid no attention. They had sent a notice round demanding money from the people; but the Ball's Pond-road was one of the oldest roads in the parish; it was under the jurisdiction of the parish from the time of the abolition of the gates, and the footpaths were always under the jurisdiction of the parish; and we had at that time a fund raised by a penny rate, for in the year 1860 a member of the vestry moved that a penny rate be raised for the purpose of flagging all the footpaths and roads where the parish had jurisdiction. That is another piece of neglect on the part of the vestry. At that time they made out a schedule, and a very large number of footpaths were named to which this money should be appropriated. That was six years ago, and on the 6th of June they had upwards of 1,200 *l.* balance standing to their credit at the bankers in respect to that very fund, although they had ample space to lay out the entire money.

6014. During six years they did not carry out the object for which the rate was levied?—They did not. The rate was abolished about 1863; it was about two and three-quarter years in collection, and I should think they collected about 6,000 *l.*; instead of laying that money out in footpaths which required paving at the time, they suffered the money to lie at the bankers.

6015. Have you looked into the mode in which the estimates for the rates are made in the parish?—There is something very wrong there. We make the estimates for the road making twice a year, at Easter and at Michaelmas, and in those estimates all the known items of expense are put down; salaries, sanitary expenses, road material, and labour. These are under separate items, and the sums are carried out upon which the rate is made. In the new road making, which is made by subscription from the owners, we put the Act in force, and compel them to pay a contribution in proportion to the width of the frontage they have; but, although the bulk of these roads are made by the material for which we have paid in the rate, and the entire of the labour is provided for by the estimate, they never

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never give the estimates credit for the money they received from those parties. I called the attention of the vestry to it on Easter Tuesday, when I said, "How is it that you have received considerable sums from these parties, and yet give us no credit for it, although the parish is charged for the labour and materials?"

6016. Did you bring the subject under the notice of the vestry?—Yes.

6017. What did they say?—They pooh-poohed it.

6018. Did they say they thought you were right, or wrong?—They did not give an opinion; they simply treated the matter with contempt.

6019. Are you satisfied with the way in which the accounts are audited?—No; the parochial audit is a mere sham. Every May each ward elects an auditor. Ours being a district in itself elects eight, but at the first meeting of the vestry we are obliged to reduce the number to five. A nominates an auditor, a person with whose habits of business or of auditing he has not the least conception, and in 99 cases out of 100 the auditors elected are utterly ignorant of their duties.

6020. Are they generally tradesmen?—Many of them are tradesmen.

6021. Do not tradesmen understand how to keep accounts?—They may do so, but it is doubtful whether they understand enough of auditing accounts to be able to go into the multiplicity of items in the books, and properly to check them. I can give you a conversation that I had the other night with one of the auditors.

6022. Without going into that, can you tell us how they audit the accounts?—They meet, I believe once each quarter for a quarterly audit, and they are engaged perhaps a couple of hours, going through very many items comprised in an outlay of something like 10,000*l.* or 12,000*l.* Then they meet for a day for the annual audit, and go through the whole of the accounts of the parish, involving an outlay of 50,000*l.* or 60,000*l.* They profess to complete that audit in a day.

6023. Do they see the vouchers in all cases?—Not in all cases. A gentleman recently told me that he had refused to sign the audit, because they refused to produce some of the books that he required that were absolutely necessary for a proper audit. One of the books was specially named. One book that has been refused was what they term the estimate book; a book which contains the estimates for making the new roads and footpaths.

6024. Mr. *Tite.*] What have the auditors to do with that?—The book contains the acknowledgment of money received.

6025. Cannot that be proved *aliunde*?—It may be so, but the highway surveyor enters the amount in this book (the street) with the numbers and names; and then there is another column stating when the accountant receives the money.

6026. But the receipt must be proved by the fact that the man has received it, not by any statement in a book?—I apprehend, if you were an auditor, you would go through all the books.

6027. No, I should not; I should see that the money had been duly received and paid; as to why or wherefore the money was expended that is another question?—Am I to understand that you would not examine all the books and papers?

6028. I would examine everything that had relation to the correctness of the account, but not the reasons of it; I should examine all the vouchers?—This is the only voucher they have.

6029. Mr. *Locke.*] Does not the man give a receipt?—The accountant gives a receipt, of course.

6030. *Chairman.*] You say that the auditor required a book to be produced that was in their possession, and they would not produce it?—Yes.

6031. Did the auditor sign the accounts?—I believe not, so far as I could gather from him; I believe he refused to do it.

6032. Having regard to all these alleged irregularities, can you explain why the parishioners do not take up the subject and get better vestrymen?—I can only explain it by the apathy and indifference of the ratepayers generally; then I say there is no check on their reception and delivery of road material.

6033. Did you bring that under the notice of the vestry?—I did.

6034. What did they do?—They pooh-poohed the thing, although the fact was known to them all; we contract with a firm for granite at so much per year, blue Guernsey granite; a vessel is freighted in Guernsey, and the granite is consigned to the parish of Islington; we have an intimation when the vessel arrives in Regent's basin, and orders are sent to the lighterman to lighter the granite up the Regent's canal to the two wharves belonging to the parish, and they remove it without once checking or ascertaining that they have the proper quantity delivered; there is not the slightest check for that purpose. On one occasion I went to the wharf at the Rosemary Branch, and I said to the man who was loading (one of the parish servants), "Do you keep an account of the loads that go out?" and he said, "No; we recollect them." I asked him, "Do you check them at all?" and he said, "No." He then said to the carman, who was with one of the carts, "You have been twice?" "Twice," said the carman; "I have been seven times." There was a considerable discrepancy between the numbers stated by the parish officers and the numbers stated by the carman.

6035. Did you bring these matters to the notice of the vestry?—Yes, the whole of them.

6036. What did they do?—Not anything.

6037. Did they not investigate?—No.

6038. What was the ground of their refusal?—They did not state any. I am not very popular, having been rather too busy in these affairs; and the consequence is, that they pooh-poohed the thing.

6039. They declined to listen to your views?—They declined entirely; at least I had but a trifling minority. Some time ago I brought forward the question of the contracts: it came to my knowledge that, although the 149th section of this Act says, that all contracts entered into by the Metropolitan Board of Works, District Boards, and vestries, above the value of 10*l.* shall be sealed with the vestry seal, and although on every occasion where we enter into a contract there is a positive order made by the vestry that the contract shall be sealed, up to the time of my agitating this question they had never sealed a contract in the vestry.

6040. How had they sealed them?—Not at all, except when the contract was executed by the contractor and his sureties. The vestry seal ordered by this Act, and ordered by the vestry, had never been affixed.

6041. Mr.

6041. Mr. *Locke.*] That was so much the worse for the contractor?—It was; but it might have told both ways; I look at it in this way: Is the parish vestry to set aside and overrule an Act of Parliament, and are the officers of the vestry absolutely to treat with a feeling closely approaching contempt a resolution of the vestry?

6042. It was for the contractor to demand that?—No; we hold the contract as well. I recollect that, on one occasion, a contract was sealed merely to go before the magistrate, in the case of stealing dust. It could not be put in as evidence without the seal.

6043. Mr. *Tite.*] What harm came of it. It was the contractor who was in the wrong there?—I think we might both have been. Supposing the contractor had failed in his contract, and we had sued him for penalties, and a shrewd counsel happened to get hold of the fact that no binding contract ever existed while the work was being done, we might have been serious losers in that case. When I brought the matter forward, I stated that which no one denied, or could deny, that we have scarcely had a contract in the parish which has not been violated, more or less; and in no one case, that I am aware of, have the contractors been called upon to pay penalties in regard to such breach of contract.

6044. Mr. *Locke.*] Who are the contractors; are they friends of the vestrymen?—We have no fixed contractors; tenders are generally given out, and the lowest contract is taken.

6045. *Chairman.*] Are the inhabitants of the parish aware of these proceedings?—I have published them far and wide.

6046. Have they appeared in the local papers?—One of the local papers published a very long article with reference to the contracts shortly after my bringing the question forward.

6047. Have the inhabitants taken any steps in consequence?—No decided steps. They have held meetings; but the difficulty is to arouse the public feeling; vestries, in my opinion, are too irresponsible bodies.

6048. When the elections have taken place, have these things been noticed?—Occasionally. I came in on one of these points.

6049. What has been said at the meetings for election about all these improper transactions?—They do not have any discussion at the elections; they merely nominate gentlemen, but do not allow discussion.

6050. What do you mean by not allowing discussion; in what way is it prevented?—The chairman overrules you if you make an address upon the nomination of any candidate. I have never known anything allowed to be said when a candidate has been nominated.

6051. Do you mean that there is a general determination on the part of those present to prevent any discussion?—I think that is so; my opinion is, that they are not fond of these things being mooted.

6052. Have any of the vestrymen been changed in consequence of these things, or have they been all re-elected?—There have been some changes, myself to wit; I came in in direct hostility to a great portion of them. I believe that that was one of the greatest thorns in their side, for I came in in what they term the most respectable ward in the parish, Highbury.

6053. Have other changes taken place?—A few, not many; the fact is, our parish officers have great weight in these elections; they are known to a large number of ratepayers, and special influence is frequently brought to bear at the elections.

6054. Mr. *Knatchbull-Hugessen.*] You succeeded in defeating that official influence?—I did, on that occasion.

6055. Have you not been able to introduce the necessary reforms?—I have brought them before the vestry, but on every occasion when I have done so, though I thought I made out a strong case, the vestry have rejected it. I told the vestry when I brought forward that question of the contracts that I believe if the vestry did its duty honestly, and had a proper supervision over its officers, and compelled them to do their duty, it would save 5,000*l.* a year on the highway rate alone.

6056. *Chairman.*] You say the vestry are not sufficiently responsible; how are they to be made more responsible than by being elected by the inhabitants, and being compelled to resign office at the end of a short period?—If you could only instil into the minds of the inhabitants a feeling of the interest that they have, possibly the responsibility would be enough, but vestry proceedings are looked upon as such little things that they are not noticed by the daily press, and the local press, which ought to be a fair press, and ought to give impartial accounts, is really, in many instances, under the influence of the parish officers.

6057. How do you propose to make the vestries more responsible?—I should like one of two things; either that there should be a court of appeal from the decision of the vestry, or that metropolitan municipal corporations should be established in the place of the local vestries.

6058. How are the corporators to be made more responsible than the members of the vestries?—I think that you will generally have a more respectable body, a body more under the influence of the daily press, who would expose any very glaring inconsistency; whereas now the daily press treat the vestries with utter contempt, they are something far beneath them, and they never notice their proceedings, except in some extreme case.

6059. You think the daily press would give its columns to notice the proceedings of 14 or 15 corporations in London?—I think it would take much more notice of them than it does of the parish vestries. It is only in extreme cases that the daily press now takes any notice of parochial matters.

6060. Is that the extent to which you think the responsibility would be improved, or have you any other mode to suggest?—I think there would be much greater responsibility in the case of municipal corporations than in the case of parish vestries. I think they would be far more important bodies.

6061. Do you think that the people would be more desirous of serving in them?—I think so; and I think the probability is that you would get better men of business.

6062. Do you consider that the vestry of Islington are not, taken as a body, good men of business?—If I am to judge by the manner in which they discharge the business of the parish, I should say not. How they discharge their own private business I will not say. I have said to them myself, "Gentlemen, if you transacted your own private business as you conduct the business

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of the parish, I should be inclined to think that you would not last long."

6063. Are they in such a position that they are reputed to be good men of business?—A great many of them are, and I have no doubt they are very respectable persons. I believe that many of the members of the vestry are highly respectable.

6064. Are there many persons without occupation in the vestry?—I should not think there are many, but the qualification acts injuriously. We have a great many publicans, who are, generally speaking, occupiers of highly rated property. There are a goodly number of gentlemen engaged in the City, but they think very little of the vestry business, regarding it as somewhat beneath them, and do not very frequently attend. With regard to the tradesmen, a great many of them cannot afford to be independent.

6065. Are they small tradesmen?—They are, comparatively, small tradesmen; but even tradesmen in a better position are not always independent.

6066. What do you mean by not being independent; do you mean that their customers come and influence their conduct in the vestry?—I believe they would do so if they took a view opposed to their own.

6067. Do they, as a matter of fact?—I cannot state that as a fact.

6068. Do you mean that the vestry, in point of fact, are not independent, or that, under a certain state of things, they might not be independent?—If I am to judge by their conduct, I should say they are not.

6069. What is the cause of their want of independence?—It may arise from two or three causes. In some cases (I do not refer to the more respectable members of the vestry) I fear there is a little self-interest. One cause is, that they do not like to take the trouble to have a proper supervision over their officers; with many of the members, I believe, it is a want of moral courage.

6070. Mr. *Locke.*] How does the self-interest to which you refer show itself?—I cannot account for the conduct of some of the members, unless they participate in something or other.

6071. Do you mean that they are bribed to give contracts, and so on?—In my opinion, bribery and corruption are rife in parochial government.

6072. Among vestrymen?—I do not say among vestrymen, although there may be exceptions; I am speaking of the officers.

6073. The officers have no vote?—No, but they have a great deal of influence among the members of the vestry.

6074. Do you mean that they influence the votes of the members of the vestry?—I believe they do, largely.

6075. For their own interest?—Yes.

6076. Do you believe that they take bribes from the contractors?—I have a notion that a good number of our officers are in collusion with the contractors; that is my firm persuaion.

6077. In what way; you said just now that the vestry took the lowest contracts?—Not in all cases.

6078. In what way are the officers in collusion with the contractors?—Supposing we contract for teaming and carting, and the contractor is allowed to charge four carts for every two that he sends; we pay, perhaps, 7*s.* or 8*s.* a day for a cart, horse, and man, and suppose in our account there should be four carts charged for every two?

6079. Mr. *Tite.*] That would be fraud?—It would.

6080. You might proceed criminally against your officer?—It is a difficult matter to prove, sometimes.

6081. Mr. *Locke.*] Who would be the person to look after that; the district surveyor?—Our officers.

6082. Whose duty would it be?—The road surveyor is the head of that department.

6083. Then you might indict the road surveyor and the contractor for a conspiracy to defraud the vestry?—I will give you an illustration of what occurred in 1864. A street in Caledonian-road, called Bingfield-street, was watered during the whole of the summer from the 25th March to the 20th October and every gallon put upon that street was stolen.

6084. Then they got it cheap?—I happened to get information on the subject. I brought it before the vestry.

6085. You do not mean that the water was stolen from the vestry?—It was stolen from the ratepayers.

6086. How?—When the vestry became acquainted with the fact, they called the contractor before them, and they said, "Did you water such a street?" He said, "Yes." They then asked him, "Was your attention called to the subject by the road foreman;" He replied, "Yes." "What did you do," they asked him. "Well," he said, "I told my man that if he continued to water the street I would discharge him." They asked him, "Did you continue to water;" and he said, "Yes." He was then asked if he discharged the man, and he said, "No;" and on being asked the reason, he said, "They all do the same thing." They fined the contractor 5 *l.* in respect of that matter. Now I will tell you how the water was stolen. At the present time we have a meter at the foot of every stand post for watering the roads. At that time no road was to be watered where there were not two-thirds of the inhabitants who signed a requisition to the vestry requesting them to water. This street had not sent a requisition, there being about six short of the required number and the parish was obliged to decline watering, because if they had done so, they could not have recovered the money from the minority. They immediately go to the contractor or his man, and enter into an agreement to pay 6 *d.* or a 1 *s.* a week for each house to water the street. He takes the water from our stand-post, the water being charged at so much per thousand gallons and places it on this street, so that those who pay the water rate have to pay for this street, which never contributes a farthing towards it. Our officers were aware of that, and yet not an attempt was made during the seven months to put a stop to this robbery. It has been attempted to be hid under a bushel ever since, and every attempt to introduce the question before the vestry has been burked. I have therefore a right to say that there is a connivance and something wrong on the part of the parish officers.

6087. Mr. *Tite.*] We do not know who are the parish officers; what is their duty?—I do not wish to mention names.

6088. You can tell us what their duties are?—There is the surveyor of the highways.

6089. Is

6089. Is he appointed by the vestry?—Yes.

6090. And paid by salary?—Yes.

6091. How many are there?—There has been lately an assistant surveyor who has No. 1 ward, (which is about a third of the area of the parish) entirely to himself, the other seven wards being under the jurisdiction of the surveyor.

6092. Then there are two?—Yes, a surveyor and an assistant surveyor.

6093. What is their duty?—Their duty is to have a general supervision of the roads, to look after them, and to give the necessary orders where material is required, or any repairs have to be made.

6094. They report to the vestry, I suppose?—Not in all cases.

6095. Is there a committee that controls them?—A highway committee.

6096. And these two officers have to attend to all these matters?—Yes.

6097. They are servants of the vestry, and paid by salary?—Yes.

6098. And they are immediately responsible to the committee who have the control of these matters?—Yes.

6099. How can you make things better than at present, unless they are all swindlers together; you have suggested that they allow a street to be watered with water paid for by the ratepayers, that is not a very great sin, is it, if the street is very dusty and much used?—If you were in business, and a servant of yours suffered a person to come in and purloin your goods, what amount of confidence would you have in him?

6100. None whatever, I should dismiss him; and why do you not bring the subject before the vestry and get the person dismissed?—That is what I want to get done.

6101. But you are in an unfortunate minority of one?—Not quite; we had six on the last occasion.

6102. You failed in establishing your case, and were in a minority of 6 against 120?—No; there were only 19 present on that occasion.

6103. Was it a meeting of the committee?—No, the vestry itself; but we sat rather late; we did not break up till nearly 11 o'clock at night.

6104. Mr. *Knatchbull-Hugessen.*] You did discuss the matter?—Yes.

6105. I thought you said that every attempt to bring it forward was burked?—I am alluding to the discussion on the 12,300*l.*, not the subject of the watering.

6106. Mr. *Tite.*] What is the question of 12,300*l.*?—The vestry raised by rates during the three years 1859, 1860, and 1861, 12,300*l.* more than they spent for road material alone.

6107. Mr. *Locke.*] Did you give notice to bring forward the question about the watering, that you have spoken of?—Yes, together with the notice of motion, of which I have a copy; it was part of the motion which was adjourned.

6108. Was the water question brought forward?—It was on the agent's paper, and it was got rid of by the motion for adjournment at the time.

6109. Mr. *Tite.*] At 11 o'clock at night?—No; that was last November.

6110. But it might be 11 o'clock at night in November?—It was not.

6111. What time was it?—I should think half-past 9 or 10.

6112. Mr. *Locke.*] There is nothing about watering in this notice?—No; it does not include watering; it was disposed of by the motion for adjournment.

6113. It was never down as a notice?—It was; my notice was to this effect: "And that the same committee do inquire into the gross fraud committed on the parish by watering Bingfield-street in the summer of 1864."

6114. They gave it the go-by?—Yes; by moving an adjournment for six months: they had the foolish notion that vestries are like your Honourable House; and that six months' adjournment was a disposal of the question, forgetting that vestries were in continuous sitting.

6115. Have you brought it on again?—Not the watering.

6116. Mr. *Tite.*] What was the other mattter, about the 12,300*l.*?—From a return which was made by the accountant, the parish raised for the purpose of road material upwards of 27,000*l.* and spent only 15,000*l.*

6117. Mr. *Locke.*] What did they do with the balance?—I cannot tell. My object was to have an inquiry, as I believed they had been raising a large additional sum for road material from the commencement of the Act. I told them that I believed they had raised upwards of 30,000*l.* in that way.

6118. You say that you have been proposed several times as auditor?—No; but as a member of the Highways Committee I have been nominated twice.

6119. You have been proposed and rejected?—I have been twice nominated on the Highway Committee.

6120. Then you have had to look into these matters?—Yes.

6121. How many gentlemen are there on the Highway Committee?—Twenty; the vestry is divided into six standing committees.

6122. And they would not have you as one out of 20?—No.

6123. Had you brought forward these questions before?—I had.

6124. Yet they would not allow you to go on the committee?—No.

6125. Mr. *Mill.*] Is there a weights and measures committee in your vestry?—Yes; it is not what we call one of our permanent committees; it is selected from members of other committees.

6126. Selected when there is any work to do relating to weights and measures?—They are always elected on Easter Tuesday.

6127. Have you any remarks to make about that committee?—No, I know nothing against them. I believe they are a very useful committee; I think it is very essential that parties should be well looked after in that respect.

6128. Have you anything to say about the lighting committee?—Nothing particular. In some cases, I believe, there has been a little neglect there. I once brought forward a memorial with reference to King Henry's Walk, one of the oldest roads in the parish, requesting the vestry to pave and better light it. From the first light at the end of the Ball's Pond-road to the first light in King Henry's-walk was a distance of upwards of 120 yards, so that it was almost in darkness in the centre. I have called attention to that, but whether the vestry will attend to it or not I do not know.

6129. Did you ever hear the weights and measures committee complained of for not dealing sufficiently severely with tradesmen when possess-

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ing false weights and measures?—It was proposed before the vestry that we should publish the names of persons whose weights and scales had been found incorrect. The weights and measures committee rather objected to it; they said they did not like to take the responsibility of publishing the names; but they did the next best thing, that is, they consented that the reporters for the press should be present at meetings when the names were announced, so that they might be published in the local papers.

6130. Has there not been some complaint against those committees for eating and drinking at the expense of the ratepayers?—Yes; it appears that we allowed the committee, I think, about 60 *l.* a year for their expenses, and they made it about 60 *l.* or 70 *l.* more. They used, I believe, to go a little way out of town and have splendid dinners with champagne, burgundy, and all the choice wines, and three or four courses, and rose water after dinner.

6131. Mr. *Tite.*] How long ago was that?—Three or four years ago.

6132. Mr. *Mill.*] But they did not expend more of the ratepayers' money than you allowed; the rest was at their own expense?—They kept within the money allowed by the vestry.

6133. Mr. *Kekewich.*] You spoke just now of official influence; do you mean that official influence is applied generally to the election of vestrymen, or to your own election?—I believe it is applied whenever there is an obnoxious party or one who is not favourable; that influence is used for the purpose of inducing the ratepayers not to vote for him or to vote against him.

6134. Do you mean by official influence influence exercised by the officers of the vestry?—By the officers of the vestry.

6135. Inducing people to vote for vestrymen who would keep them in office?—That is about the fact, I believe.

6136. What is the day on which you have your general audit of accounts?—It is in the month of April; I cannot recollect the day.

6137. The vestrymen then meet and have a dinner?—No, I believe not; I never heard of that.

6138. Is there ever any eating and drinking in the vestry?—I do not think there is any fault to be found with reference to that. The only time when the vestrymen have dinners, is when they go out to view and are engaged the entire day; they then generally have a little refreshment.

6139. That is an allowance out of the rates?—That is an allowance out of the rates; I do not find the least fault with that. They never go to any extreme or spend money unnecessarily in that respect, I believe.

6140. Mr. *Locke.*] With regard to weights and measures, you have a committee?—We have what is called the weights and measures committee.

6141. Do you employ an inspector?—No, they have no officially appointed inspector; they do the inspection themselves.

6142. Who summons these people?—The committee take the current weights and measures with them, go into the shops and test the scales and weights, and where they are found deficient they are condemned.

6143. Are you aware that there are no such things as correct weights and measures in existence?—I hope there are.

6144. And that the measures concealed in a wall under this house were found to be incorrect?—That may be.

6145. Are you aware that according to the Act of Parliament a person is fined for having a false weight or a false measure, however slight the deviation may be; and even when it is tested by a measure that may be itself incorrect; that it is not necessary to prove that the person acted wilfully, but that the simple fact of the weight or measure being according to the test not correct, subjects the person possessing it to be fined?—That, I believe, is the fact.

6146. Are you not aware that great complaints have been made by tradespeople of the very great hardship of the law as it at present exists?—I am not aware of that.

6147. What class of persons were those whose names you were about to publish?—They intended to publish, and I believe they will publish, by the press being present, the names of persons whose weights, scales, and measures are found to be incorrect.

6148. However slight the deviation?—That I cannot say. I believe there is some limit to that. I think they will only publish where the weights and scales are incorrect; but I am not on that board.

6149. Have you ever seen a return made to this House—one return for the metropolis, and another for the whole of England—of the number of persons fined for having false weights and measures?—I have not.

6150. You are not aware that the return was so large that they hesitated very much in giving it, because they thought it would be such a great expense?—No.

6151. If you look at that return, I think you will find that some of the deviations are of the smallest nature, and that the magistrates consider themselves bound to fine in case of those deviations?—I should be sorry to see the inspection of weights and measures abolished. I believe it to be an excellent institution. There is a tradesman in Islington, whose name I will not mention, one of the first tradesmen in the parish, and every weight that he had in his shop was seized and found to be incorrect, and the scales were also incorrect.

6152. To a large extent?—They were incorrect. I will not go into the question of the deficiency. If this tradesman had been selling to many poor persons with these false weights, the loss to them must have been very large.

6153. Have you ever put the laws in force against the makers of false weights and measures?—No.

6154. Are you aware that there was an Act of Parliament passed, enabling you to fine the makers for selling incorrect weights and measures?—If the weight and scale maker purposely sends out false weights and scales he ought to be doubly fined.

6155. Mr. *Tite.*] What is the population of Islington?—I think about 180,000; at the last census it was 150,000.

6156. What is the number of the vestry?—A hundred and twenty.

6157. And you mean to suggest as probable that the officers appointed by the vestry have influence enough to induce the vestrymen to support them, because of something that they can improperly put into their hands?—I cannot say what is the reason.

6158. That

6158. That is what you have been saying?—One thing is certain, that there is, in my opinion, an unaccountable leaning towards officers, and an attempt to shield and screen them, to wink and blink at their weaknesses and failures.

6159. You think, for a criminal reason?—I do not know; there is the fact.

6160. You have suggested, at all events, that there may be motives?—If any of you gentlemen were to sit for a short time in the gallery of the vestry, and hear the vestrymen when the subject of the officers is brought forward, you would fancy that they were sent there only to defend and promote the interests of the officers, irrespective altogether of the interests of the ratepayers.

6161. Do you not think that it is right to stand by a man who is unfairly attacked?—Yes; and it is equally right when there is the least shadow of suspicion to have a searching inquiry.

6162. That may depend on the person who brings the charge forward?—That may be the excuse raised, but I doubt whether any body of public men can afford constantly to burk inquiry when there are charges brought forward, or where there is suspicion raised.

6163. Do you not think it reasonable, when a man builds half a dozen houses, and thereby gets a considerable income derivable from the site that he occupies, he ought to pave in front of those houses, as well as make the houses?—Decidedly.

6164. It has been stated that in Camden-road, though it is possible for the vestry to pave it from end to end, they asked those who ought to contribute to contribute, and that they would not, and that in consequence of that the vestry put down gravel instead of paving. Do you think that is wrong?—I believe that Camden-road is paved in the centre, but that there is a space of gravel on each side.

6165. I am not speaking of the road, that would be called "pitching;" I mean the paving of the footpath?—It is the footpath to which I am referring; there is a space in the centre, that is flagged, and on each side it is gravelled. I must admit that I do not see any particular fault to find with regard to Camden-road.

6166. However you admit the principle that those who build houses should put the pavement in front of them?—Yes, it is on that principle we act. Under the amended Act the vestries have powers to compel the owners of property to pave.

6167. That appears a little doubtful. At all events the remedy they adopt is to put down gravel, and leave the pavement to take care of itself?—The estimate book will show that we have put the Act in force, and have received thousands of pounds from owners.

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6168. With regard to the 12,000*l.* of which you speak, you suggest that it has been raised, and that the account of its expenditure by the vestry has not been made public?—I will tell you the gist of my argument before the vestry. I have said to them, "I do not charge you with misappropriating or misapplying this money, but I say that you have raised it in an improper and very vicious manner. You have purposely and intentionally raised a large sum of money upon one particular item of account (more than you knew you would spend), for the purpose of having a surplus for any contingent work."

6169. You mean that it was raised for one thing and applied to another?—I do not know how it was applied.

6170. What is it raised for?—For the purchase of road material, granite, gravel, ballast, flint, and so forth.

6171. And labour, I suppose?—No, that is a separate column.

6172. Can the vestry, after they have raised a sum of money for road materials, apply it to another purpose?—That is a question I cannot answer.

6173. Have they done so?—I do not know that they have applied it to other purposes; all I know is, that they raised the money; a sum larger than they knew they should expend. In one of these years the highway committee itself struck off 1,800*l.* from the estimate, which would have made 4,700*l.* instead of 4,100*l.* excess in the year.

6174. Then your complaint is this: that the road surveyor has an unreasonable influence over the committee having the control of that matter?—Yes.

6175. Who is the chairman?—Mr. Young.

6176. What is he?—A grocer in the Upper street.

6177. He is a respectable man, I suppose?—I believe he is a very respectable tradesman.

6178. A good man of business?—That I cannot answer. I should rather doubt it, if I am to judge by his government of the highway committee. He may conduct his own business very well.

6179. Is he appointed by the vestry?—He is not appointed chairman by the vestry; he is appointed a member of the committee, and the committee then elect their own chairman.

Mr. JAMES WILSON, called in; and Examined.

6180. *Chairman.*] WHERE do you reside?—In Bloomsbury, at present.

6181. Where have you been residing?—I resided previously in America; I have only been two years and a half in London.

6182. Mr. *Mill.*] I believe you have taken great interest in the question of municipal institutions?—Yes.

6183. You have been an officer in municipal institutions in America many years?—Yes.

6184. Has your attention been drawn to the distinction between the practical working of municipal government in America and England?—Yes.

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6185. In what part of America have you served municipal offices?—In the first place, I was in New York, and latterly in New Orleans, also in Canada.

6186. What offices did you fill in those places?—In one municipality, I had the situation of auditor, and in another that of assessor.

6187. And things came to your knowledge respecting municipal administration there, and the manner in which it was carried out, which you think may throw light on municipal administration here?—Yes.

6188. Be so good as to state them?—In the first place, with regard to assessment, it occurs

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to me that there is a very great difference between the system of assessing property in this country and in America. In America, all property, real and personal, is assessed for municipal purposes, including income.

6189. Do I understand that the assessment is entirely on property and not on rental, as it is here?—On property, real and personal.

6190. Here it is not an assessment on property at all, but the assessment in the United States is on property, if I understand you?—It varies in different States; in some States, the assessment is made on the whole value of the property; in some other States, it is made upon the annual value of the property, but in all the States, it not only includes real property, but personal property, merchandise, money used in business, professional income, and every other species of personal property.

6191. You mean that the per centage is taken upon the estimated value of the whole property of each person?—If you will permit me, I will give you an instance in point, which will show what I mean. As an assessor, I call upon an individual, and ask him the amount of rent he pays, supposing the assessment to be upon the rental (I take that for the purpose of making a fair comparison between your system and theirs). If he states an amount lower than the amount I think is reasonable, I add to that amount. If he has taken his house at a period when property was too high, I deduct from that amount, giving what I consider a fair estimate of the present value of the property.

6192. The assessor does that?—Yes.

6193. Is there any appeal from the assessor?—I will mention that. After ascertaining the value of his real property, I ask what business he is engaged in, and, if he is a professional man, the amount of his income. That is put down at its annual value. If he earns 1,000 *l.* a year, the annual value would be 60 *l.* per annum. If he is engaged in mercantile transactions, I take the average stock in trade, and the annual value of that is supposed to be a sum represented by five or six per cent., according to the different States. That is included in the annual value, and in the amount assessed against him; so that the basis of taxation is much larger than it is here; it includes all that a man is possessed of.

6194. Mr. *Locke.*] For municipal purposes?—For municipal purposes.

6195. Mr. *Mill.*] If you do not think that the declaration of a person himself is correct, you add to it or diminish it, according to your judgment?—Yes.

6196. Is there any appeal from the assessor?—There is an appeal from the assessor to the members of the municipality. As a general rule they appoint a committee for the purpose of hearing those appeals, and if the appeal is decided against the party, and he is not satisfied with it, he can appeal again from that body to the county judge, whose decision is final.

6197. So that ultimately, if he chooses, the matter may be carried before a strictly judicial tribunal?—Precisely. I may also mention that if the assessor desires to save trouble, or considers it a better way, he has the option of presenting a declaration to the individual that he may make, either by affirmation or oath, as the case may be, a statement as to the amount of his real and personal property.

6198. His function seems to be similar to that of the Income Tax Commissioners here?—Somewhat so.

6199. Is there anything else which, in your capacity as assessor, struck you as being important?—Local improvements are very generally done by local assessment; for example, in the case of individuals in a particular street or block of houses desirous of having some change made; a new drain, or a common sewer, or a new pavement, or a new causeway in the street; a number of them constituting in the whole a majority as to value and numbers, present a memorial to the corporation or municipality setting forth that they desire this improvement; the property benefited by such improvement is then visited by the assessor, who assesses the property according to his judgment at the amount which each individual ought to pay towards the improvement.

6200. Who is it that decides whether this improvement shall be made?—The municipality.

6201. Then the subject is brought before the municipality first, and if they decide in favour of the improvement being made the assessor proceeds to assess the means of payment of all persons in the district?—Yes; except that in the event of the locality being willing to bear the whole of the expense they invariably get the improvement, but where they ask the assistance of the municipality it is a question whether they get it or not.

6202. When you speak of the locality you do not mean any definite division of the district, but you mean any portion of the public comprised within any boundary whatever who consider that they have any interest in common?—Yes.

6203. Have you found this system work well?—I think so.

6204. You think it gives general satisfaction?—Yes.

6205. Is there any other point to which you desire to draw the attention of the Committee in connection with the duties of assessor?—At present I do not think of any other.

6206. You have also had experience in the capacity of auditor?—Yes.

6207. Have you anything to remark upon, which came to your knowledge in that capacity?—With respect to the auditing of accounts it is an invariable rule, in fact it is the law, that all accounts must be published in the local papers, and paid for.

6208. At the expense of the rate?—At the expense of the ratepayers.

6209. How are the auditors appointed?—That varies in different municipalities; but I think, as a general rule, one is appointed by the head of the municipality and another by the members on a division.

6210. Then there is an officer who is at the head of the municipality?—Invariably.

6211. What are the peculiar functions of that office?—In all the municipalities of America the same principles are adhered to as in the case of a Government federative. In the first place, all villages, towns, and cities, are incorporated, under a general act. The country is also incorporated and every township, which corresponds pretty nearly to your parish. These various corporations have each a head; the head of the county is the chairman of supervisors. The members of the different townships are termed supervisors, and they appoint a chairman who is the head of the municipality. In the towns nearly the same rule obtains as here. There is a mayor, with aldermen

aldermen and councillors, but as a rule the bodies are not so numerous as in this country. For example, in New York under the present municipal arrangement the number I think is under 50 for the management of a city containing seven or eight hundred thousand inhabitants.

6212. What power does the chief (whatever may be his name) exercise independently of the remainder of the body?—In New York he exercises very great powers. He is connected with the management of the county. In some cases a city with its neighbourhood is a separate county. It is so, I think in the case of New York, and many other large towns are arranged in the same way. If there are any small municipalities in the neighbourhood the federative principle is brought into operation and the mayor as the head of the supervisors becomes a member of the superior body that controls the erection of school houses, poor houses, and infirmaries.

6213. School houses, poor houses, and infirmaries, belong to a larger district than a municipality?—They do.

6214. Consequently they require a special board to administer them; that is, there is a board representing a larger district than the municipal districts which has authority over the school houses, poor houses, and infirmaries?—That is so.

6215. And how is this board appointed?—The townships each elect supervisors; persons who have authority in the municipalities, corresponding to your parishes.

6216. "Supervisors" is the name of the members of the municipal board of the townships?—Yes.

6217. And the chairman of the different township municipalities become members of the County Board of Supervision?—Yes.

6218. The county board, then, is composed of the chairmen of the local boards?—Yes.

6219. How are these chairmen appointed; are they elected by the ratepayers to the special office of chairman, or are they elected in common with other members of the board, and then, having been elected supervisors by the ratepayers, are they appointed as chairmen by the Board itself?—That is the way: they are elected amongst other supervisors, and afterwards appointed by the respective municipalities as chairmen.

6220. And these chairmen come together and form a board for the county?—They do.

6221. And is there any board for a larger district than a county?—There is no larger district recognised, except the State, which is the next step. I will give you the respective steps: the village, having a board of five trustees, the town, having a board according to the number of inhabitants, of from seven to 20 or 30 persons, and in the case of New York 41, the county, having a board consisting according to the number of municipalities in the county, of from 30 to 60 or 80 members. Then the State, which is at the head of the whole, comprising, of course, all the counties; but that is an entirely separate affair, having no connection with the municipal arrangements.

6222. It is one of the most important subjects in municipal administration, what powers should be exercised by the elected board, and what are the responsibility of the chairman individually; how is that matter arranged in those boards in America with which you are connected?—It is not invariable. They have changed the plan several times in New York on this account; there is a very large foreign population there; the city being now composed of more than half foreign born people. The system was devised for the Americans themselves, who are much better educated than we are (I speak as one of the humbler classes myself). Having been trained and educated in this system of municipal government, they found no difficulty in managing it; but they have since changed it, so as to give the mayor a veto upon certain measures; if the council pass a measure by a large majority the mayor can put his veto upon it and stop it altogether.

6223. Mr. *Knatchbull-Hugessen.*] For how long is the mayor elected?—Two years.

6224. Mr. *Mill.*] Is he appointed by the Council?—In New York he is appointed by the people.

6225. Is that frequently the case?—It varies in different States. As a general rule, in the States, I think, the head of the municipality is appointed by the people, but in the country it is the other way; the chairman is elected by the municipalities. However, there is no rule adhered to; it varies in different States.

6226. Have you formed any opinion as to which of these plans works best?—I have not considered that matter sufficiently.

6227. Mr. *Knatchbull-Hugessen.*] Does the same suffrage elect the mayor and the board?—Yes.

6228. Mr. *Mill.*] If you had to give an account of the duties of the mayor, in a large town in the United States, of what would you say they consisted?—I should say that he was the general executive officer of the corporation, that he did, or saw to the doing of everything done in the place.

6229. He is responsible to the corporation for the execution of those public duties of which they are the controllers?—He is.

6230. Is he in the habit of consulting them generally, or does he proceed on some general rule which they are only bound to see observed?—In the large States of New York, particularly, the municipality divides itself into committees, each taking charge of a particular department: the mayor is, generally, a member of the most important of those committees, and whatever business they transact must, in all cases, come under his supervision.

6231. Is the power of these committees in any case paramount to his, or are they merely intended to keep the body which appointed them, informed as to his proceedings in order that they may exercise the duty of controlling. In congress itself, there are committees appointed to superintend every part of the business of Government, and consequently every Act of the Government; but in spite of that, these committees have not a controlling power over the president; is that the case in municipal government, or does it stand?—That is generally the case; but I have remarked already that in New York the mayor has a vote.

6232. In New York nothing can be done without the mayor's consent?—Nothing of importance.

6233. But that is not the case in most other places?—Not in general in American municipalities.

6234. Generally, what is the extent of the power of the mayor; what could he do of his own authority?—His power is limited by the general Act of Incorporation; in the case of

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New York by the special act, which they have for that purpose; although the whole of the country is incorporated under general acts, there are certain towns that have applied for and have obtained special acts, and New York is one of them.

6235. According to the general system of the country where there are no special acts, is the mayor merely the minister of the corporation, or has he powers of his own?—Generally he is a mere minister of the corporation.

6236. In fact he executes their instructions?—He does.

6237. So that in the more general case it is the corporation itself, as in this country, which administers, and the mayor is only the chairman of their body?—Yes.

6238. But it is not so in some of the towns under special Acts?—No.

6239. Do you think there is any growing tendency in the United States to confide this greater degree of power to the executive officer, the mayor, or whatever he may be called?—If we might judge from the case of New York, there is, but that is an exceptional case.

6240. Owing to the great concourse of foreigners, but you think the general system is that of administration by boards rather than by individual officers?—Yes, the municipal business of New York and of some other large cities is so extensive that it is impossible for the unpaid members of the municipality to do it. In many cases the actual duties are delegated to separate boards; for instance, in New York the superintendence of emigration is delegated to a special board.

6241. Is that a paid board?—A paid board. The duties are all done by paid officers.

6242. Does the board consist of members of the corporation?—So far from that being the case, the members of that board are appointed by the Governor and Senate of the State of New York. The police of New York, a most important matter, is also controlled by a board of the same description appointed by the Governor and the Senate of the State, altogether independent of the corporation.

6243. To that extent a portion of the work in other places belonging to the municipal government is taken out of that category and is assumed by the general Government of the State?—Yes.

6244. Is there anything else that you wish to state with regard to the differences between the municipal government of the United States and this country?—I have looked over the Bill proposing to establish municipalities in the metropolis, and I have observed that there is a difference in this respect, that the electors are proposed to be the burgesses of the respective municipalities. Now, I can understand what a burgess means in the City of London, where I believe there are special privileges and large sums of money left in the way of endowments, and so on.

6245. Mr. *Locke.*] A burgess is a freeman occupying a house of 10 *l.* a year?—With respect to the outside portions of London, it occurs to me that the ratepayers would be the proper parties.

6246. Mr. *Mill.*] The intention of the Bill is that it should be the ratepayers. They would only be constituted burgesses by the district being constituted a corporation. The name burgess is like the name of alderman and common councilman adopted in the Bill, as I understand, merely because they are terms used in existing cases?—There is another suggestion which I may be allowed to make, which is taken from American practice. I find that there are references in the margin of the Bill to a variety of other Acts under which the municipalities are to be constituted or to Act. In the case of America, all the powers under which a corporation acts are comprised in one Act, so that each one of the municipalities, by means of a sixpenny pamphlet, can see precisely the extent of their powers.

6247. Does any other suggestion occur to you?—All the elections for municipalities in America take place in every State on a particular day mentioned in the Statute; generally about the 8th of December; and before that day a statement of accounts must be published in the newspapers, so that the ratepayers may have an opportunity of checking the expenditure.

6248. By whom are the auditors appointed?—One is appointed by the head of the municipality and another by the council; that is the general rule.

6249. Even when the head of the municipality is merely as it were the chairman of the municipality, without having independent powers, it is still usual that he should appoint one auditor, and the body should appoint the other?—It is.

6250. Is the audit usually an effectual one. Does it give satisfaction to the ratepayers?—I think so.

6251. Of course the duty of an auditor does not relate to the reasons for the expense, but only to its having been actually incurred; but the ratepayers who are judges of the reasons of the expense have opportunities, if I understand you rightly, by a regular publication of the accounts before the annual period of the elections, of judging how far their representatives have done their duty during the year?—Precisely so.

6252. That takes place annually?—Yes. In New York there is a special arrangement. An auditor is appointed by the government of the City, and he has a veto on expenditure which he does not find that the municipality have legal authority to make.

6253. Mr. *Locke.*] Who are the electors in America?—Every adult male.

6254. But he must live somewhere?—Living in the municipality.

6255. What do you mean by "living"? If a dozen persons were to walk in on the day of election, and say, "We are adult males," they would not be allowed to vote. For instance, suppose there was an election in New York, and five or six hundred persons came from the State of Maine, they would not be allowed to vote for anybody they pleased?—No; the person must be identified when he comes to the polling place. Before he gives his vote he is asked his name, the street he resides in, and the time of his residence. Officers of the corporation are present, and very likely they know the individual.

6256. Then it is what we call "residential manhood suffrage"?—Yes.

6257. What do you call residence; is there any definition of it?—It comes to this at last. There is no individual adult male who does not pay municipal taxes in some shape. If he is a mere lodger, and occupies only a bed, his name is taken down. Many men return themselves to the assessors as having no income; that is, that their

their earnings are of a fluctuating description, and do not amount to 200 dollars. If his income does not come to 200 dollars, the lowest limit to which he is taxable under the income clause, he is put down under what is called statute labour, for the sum of half a dollar, about 2 *s.* of your money, and that he must pay.

6258. Then the person voting must be taxed?—Yes; but allow me to observe that in different States it varies according to circumstances; in many States, in New York particularly, it is necessary that the party should not only be a taxpayer, such as I have named, but also that he should be taxed on his residence, on rental, that is to say, as a householder.

6259. I understand you that no man in the United States can vote for municipal purposes unless he pays taxes to the amount of 2 *s.* a-year?—That would not constitute him a voter; he is excluded by that.

6260. How do you mean excluded?—I mean that unless he is returned as a ratepayer and as a householder he has no vote; in some of the States, the new States, the mere fact of his being of age and resident in the neighbourhood is quite sufficient.

6261. What is your definition of residence?—I cannot tell you the legal definition of it.

6262. What must the person do?—I suppose he must have resided a certain number of months, say six months.

6263. In a place of his own?—It is no matter whether he is a tenant, a freeholder, or what.

6264. Must it be some place in which he resides that he can call his own?—Within the municipality.

6265. Must he call it his own, so as to be able to keep other people out?—Decidedly.

6266. Supposing a man come into a town, and stopped at an hotel, would that do?—No.

6267. In point of fact no man can have a vote under this residential manhood suffrage unless he has actually a place that he can call his own as a place of residence?—It is based upon the fact of his having some interest in the municipality even to the extent of being assessed at an income of 200 dollars, or being in the possession of a house or a single room; he must have an interest in the municipality.

6268. You have heard of what are called "pot-wolloppers;" I presume that a man in America, if he was what we term a "pot-wollopper," would have a vote; or do I understand you that he would not have a vote unless he paid this amount of taxes?—I am speaking of municipal votes, not votes for members of the Assembly or Congress; a person claiming to have a vote has his name down upon the assessment paper as a taxpayer, no matter how small the sum; that is the basis of his right to vote, having an interest in the municipality.

6269. How does he get his name down as a tax payer?—It is the duty of the assessor to find him out and put his name down.

6270. What is the tax paid for?—For municipal purposes.

6271. You say that a tax upon income would not be sufficient unless the man was likewise resident in the place?—A mere labourer, as a general rule, is not taxed upon his income, and he merely pays 2 *s.* A mechanic is in most cases taxed upon his income; and supposing his income to be 100 *l.* a year he would be put down 6 *l.*, which is supposed to be the annual value of his income, and he is taxed upon that 6 *l.* Supposing him in addition to his income to have a residence of his own, a freehold or a mere rental house, he pays an additional tax upon that.

6272. He must be a resident?—He must be a resident.

6273. Is the mayor of New York elected directly by the people?—Yes.

6274. As mayor?—Yes.

6275. As in the case of the Lord Mayor of London who you are aware is elected by what are called the livery of London?—Yes.

6276. You are aware that by our Municipal Corporation Act the mayor is elected by the town council?—Yes.

6277. I suppose in America they have taken the City of London as their guide?—I am not aware how that is; I know that the first incorporation of the City of New York took place under Queen Anne, 130 years ago, and that that very organisation existed until within my recollection; that is 30 years ago.

6278. Are there any aldermen there?—Yes.

6279. How are they elected?—In the manner I have described.

6280. Is New York divided into wards?—It is, irrespective of any parishes.

6281. Is there an alderman for each ward?—Yes.

6282. And are there common councilmen for each ward?—Yes.

6283. Just as in the case of the City of London?—Yes.

6284. Do the mayor, aldermen, and common council meet in the same chamber?—They do.

6285. Have the aldermen likewise a separate chamber of their own?—No.

6286. They all meet in the same chamber?—Yes.

6287. What are the duties of the aldermen?—I do not know that they have any particular duties beyond those of the councilmen, they are members of the same corporation. In some of the towns they have certain judicial functions as in New York.

6288. Are they magistrates in New York?—They are magistrates during their term; *ex-officio* magistrates.

6289. They are not elected for life?—For two years. As a general rule aldermen are elected in the United States for one year, but in New York by the present arrangement they are elected for two years.

6290. Are the council elected annually?—Yes.

6291. The same as in London?—Yes.

6292. You are aware that in the City of London the aldermen are elected for life, and the common councilmen are elected annually, and the mayor is elected by the full body?—Yes.

6293. Are the aldermen elected in New York by the tax-payers of particular wards?—Yes.

6294. And the common council also for particular wards?—Yes.

6295. You say that the mayor in New York has a veto?—He has; that is a special case.

6296. Are you aware that the mayor of London has the same power?—I am not aware of it

6297. How many members must attend to make a quorum?—I think the rule is a majority.

6298. How many representatives are there in New York?—The number has varied; up to 1830, under the charter granted by Queen Anne, the numbers were 50 or 60; after 1830 an alter-

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ation was made, raising the number to 60, and the aldermen to 30 or 40, making altogether a council of 100. Since that time they have come back to a council of, I think, 24, and 17 aldermen, making altogether 41, for a population of 700,000 or 800,000 persons.

6299. What are the particular duties of the corporation of New York?—They have very extensive powers with regard to streets, houses, watering, and so on. The whole of the water has been brought in at the expense of the corporation.

6300. Have you quarter sessions in New York as we have here?—Something of the same kind.

6301. Who presides?—As a general rule the aldermen are justices of the peace during the term of their office, but they do not sit except with an officer appointed by the governor.

6302. A recorder?—Yes.

6303. Who elects the recorder?—As a general rule in the United States the recorder is elected by the corporation, but in New York he is appointed by the governor of the State. That is the present state of things, I believe.

6304. Do the aldermen sit with him at the sessions?—They do or do not; it is merely an honorary appointment.

6305. Are the public-houses licensed in New York?—Yes.

6306. Who licenses them?—The money coming from the licenses is the property of the corporation.

6307. Who gives the licenses?—The justices of the peace.

6308. The aldermen?—No, there are other justices of the peace besides aldermen.

6309. By whom are they appointed?—They are appointed by the people as well.

6310. There are justices in addition to the aldermen who are *ex-officio* justices during the term of their offices?—Yes.

6311. And there are justices of the municipality appointed by the people?—Yes.

6312. How long are they appointed for?—Generally a year. I do not recollect whether it is so in New York, but that is the general rule.

6313. They are not appointed for life?—No.

6314. Is the licensing done by them?—Yes.

6315. What other duties do the justices of the peace perform?—The usual duties performed in this country.

6316. They commit people to be tried for offences?—Yes.

6317. Are there quarter sessions where they are tried?—Yes.

6318. With the recorder presiding?—Yes.

6319. Similar to the case of the Corporation of the City of London?—There is a good deal of similarity; but as a general rule the corporations have greater power than they have here.

6320. In what respect?—If they wanted to make a new street they would not require an Act of Parliament. If they required to pull down a house in order to widen a street they might acquire a house by agreement or valuation before a jury without an Act of Parliament. They have power to purchase by agreement or under compulsory clauses for all municipal purposes, city halls, town halls, workhouses, markets, schools, and various other places of that kind.

6321. They must decide in the corporation what shall be done?—Yes.

6322. Are notices given to the people, and have they a right to come forward and approve any project of the kind?—They have.

6323. By their representatives?—By their representatives.

6324. Or by petition?—They can appear by counsel before the corporation, and if they are dissatisfied there is generally an appeal to some judicial tribunal, whose decision is final.

6325. Does the council appoint a committee to consider it?—Yes.

6326. As in the case of this House?—Yes.

6327. Is that system found to work well in America?—I have never heard complaints of it.

6328. They do make improvements?—Yes.

6329. At a much less expense?—Yes, and more speedily.

6330. The system is found to act fairly?—Yes, as a general rule.

6331. Are there a great many improvements made in towns in America?—They are very much ahead of this country in that respect.

6332. They widen the streets where they find it necessary without being obliged to get an Act of Parliament?—Yes, there is no delay. The moment the public have made up their mind that something is wanted, the necessary machinery is there to do it at once; it is a mere question of money.

6333. Mr. *Tite.*] With regard to railways, is it in the power of the municipality to allow them to come in?—No, they require a separate Act of the State Legislature.

6334. Mr. *Locke.*] The particular State?—The particular State in which the railway is situated.

6335. Each State has power to refuse any railway coming into it?—Yes.

6336. Would not the congress have power to make them?—None, whatever.

6337. Do they always let them come?—No, they do not.

6338. Are there instances in which railways have stopped on the border of a particular state without going across it into the one beyond?—I have not known of such an instance; of course, if an agitation is kept up for sufficient time, they manage to compromise matters.

6339. In England, supposing all Yorkshire were to say that no railway should go through it, would not inconvenience arise?—I have not known a single case in America after the experience of 30 years where that kind of inconvenience has arisen. So far from that being the case, they are anxious to have as many railroads as possible, because they benefit the property.

6340. Mr. *Tite.*] With regard to the water-works of New York, were they erected under an Act of the State, or by the corporation?—It was done by a special Act of the Legislature, under which they acquired borrowing powers to a large extent; it is managed, if I mistake not, by a separate board.

6341. Constituted by the State Act?—Yes.

6342. Mr. *Mill.*] The works were made at the expense of the corporation?—At the expense of the city.

6343. *Chairman.*] You have stated that the whole of the income or property of the city is assessed for municipal purposes, both movable and immovable, but is the assessment made upon the individual for the whole of the property he owns, or upon the property?—It is made upon the whole of his real and personal estate.

6344. Upon

6344. Upon him personally?—Yes.

6345. Is there an assessment upon property apart from the presence of the owner?—Yes.

6346. Supposing he has a balance of 10,000 *l.* in the hands of a banker in New York, would that be assessed for the municipal purposes of New York?—No.

6347. Then the property is not assessed, but the owner is assessed; I want to know whether the property is assessed, or whether the owner is assessed on account of his property?—The owner on account of his property; the personal property in the city of New York, belonging to residents, is assessable for municipal purposes.

6348. Suppose a man is carrying on a commercial business with England, and he has capital embarked in that business, how is he assessed?—If he has his office in New York, he is assessed there.

6349. For what?—Upon his property.

6350. The whole of his property embarked in business?—Yes.

6351. It is capital?—Yes.

6352. Whether floating in ships or locked up in his store in New York?—The assessor has a discretionary power of this kind; he ascertains in the first place from the individual, or by the best means he can, what his average stock in trade is; if it is 10,000 *l.* at one period of the year, at the time when the amount is greatest, and 5,000 *l.* at another time when it is smallest, he would take it as 7,500 *l.*, the average amount of the stock.

6353. Is that stock confined simply to goods in warehouses in New York, and money due to him in New York, or does it embrace a ship, for instance, that he may own?—A ship that he owns would be assessable.

6354. As part of his stock?—Yes, if he was a shipowner.

6355. Therefore he is assessed on account of the property he possesses, or is reputed to possess generally?—The rule is this; the ability of the individual to pay taxes, is judged by the whole amount of his property. If it is real estate out of the municipality in which the assessment took place, it is assessed in that particular municipality. If he resides out of the city of New York, but has an office in the city of New York, the place where he does his business is the assessable place; his house would be assessed in the particular place where he resides, perhaps in another municipality, if he resides in the suburbs.

6356. Then, how is he to be assessed in respect of his personal property for the two municipalities; the one in which he has his town house, and the other, in which he has his country house, in the rural districts?—That is assessed to the township.

6357. Then, in the township he is not assessed for anything but the annual value of his dwelling-house?—Yes, his dwelling-house and garden.

6358. He would not be assessed on account of his personal property?—He would be assessed in New York, in the municipality in which the office was situated where the business was done.

6359. Suppose he has a town house and a country house, and no business, but an income derived from fixed property, say, money in the American funds, how is he assessessed then?—He is assessed upon income.

6360. Where would he be assessed if he had two houses, and lived six months in the one and six months in the other?—The country house would be assessed in the municipality in which it was situated.

6361. He would not be assessed upon the income from his money in the funds?—No; he would be assessed for that in his usual place of residence.

6362. Suppose he resided in both an equal time?—In my experience such a case has not occurred. I have always assessed the person where he usually resides.

6363. There you assess personal property?—Yes, and the real estate, in whatever city or county it is found.

6364. All real property in New York, houses, lands, and so on, are assessed in New York, whether the owner lives there or not?—Yes.

6365. That is, assessed specifically on the occupier?—The assessment roll is drawn in this way: the number of the house, the occupier, and the owner. Both parties are put into the assessment roll, so that, in the event of no occupier being there, notice would be sent to the owner, and the taxes collected of him. If he does not pay within a certain time, the house, or part of the house is sold, for the purpose of paying the taxes.

6366. The property assessable in New York must be very large?—Very large.

6367. Involving all the personal property of the persons who have places of residence or counting-houses there?—I think it amounts to 200,000,000 *l.* sterling.

6368. Then all the income that is earned within the year is treated as so much capital, and the interest is computed on that capital?—That is considered to be the annual value, a certain amount fixed by statute, say 5 per cent.; that is treated as the annual value of the property.

6369. For the purpose of ascertaining the annual value of the earnings in the year you take them as so much capital, and then compute the annual value?—Yes.

6370. And all the fixed property, that is the accumulated property, is also treated as capital?—Yes, and what might be called the rack-rent is taken as the annual value.

6371. Supposing a man held 20,000 *l.* sterling in securities at five per cent., and another man earned 1,000 *l.* a year as a barrister, are we to understand that the 1,000 *l.* is the capital from which the annual value is deduced in assessing the barrister, and that the 20,000 *l.* is the capital from which the annual value is deduced in assessing the capitalist?—The professional man earning 1,000 *l.* is assessed upon the annual value of 60 *l.*; the capitalist having 20,000 *l.* in the funds, producing 1,000 *l.* a year, is assessed at the same amount. Allow me to correct myself in this particular; I am speaking now of the particular municipality of New York. It so happens that it is not the annual value that is adopted there. In the country sometimes the whole value, and sometimes the annual value is taken. In New York it is the whole value, the capital that is taken.

6372. Therefore the 20,000 *l.* would be the subject matter of taxation?—It would.

6373. Then how is the professional earning treated in New York; is the 1,000 *l.* treated as capital?—Yes.

6374. And would the professional man only be taxed on the computed annual interest upon his earnings, or assessed upon the whole earnings?—The

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The earnings are treated as capital in New York.

6375. Then is it the case that a professional man with an income of 1,000*l.* a year will be assessed at 50*l.*, and that a person with an accumulated fortune of 20,000*l.* will be assessed at 1,000*l.*?—That would to be the proportion.

6376. Would that be so?—Yes.

6377. Suppose the case of 20,000*l.* invested at five per cent. producing 1,000*l.* income, and in the other case 1,000*l.* is earned by a person in his profession as a barrister?—They are rated precisely the same.

6378. Mr. *Locke.*] They would each pay 50*l.*?—Yes.

6379. *Chairman.*] Then they are rated in reality upon their income?—Yes.

6380. They are rated at 50*l.*?—Yes.

6381. They would pay 50*l.* contribution?—That depends on the rate, which varies.

6382. They are not rated at 50*l.* necessarily, but from that 50*l.* is deduced the rateable value?—Yes; I think you misunderstand me in some way, because I have stated that a different system exists in other parts of America.

6383. Will you give us one system complete, and then the other, so that we may not confound the two; will you begin and explain the New York system; I want to know what the basis of contribution is in New York as between the man whose income is derived from capital, personal property invested in the funds, and the man whose income is derived from professional earnings, pure and simple, such as those of a barrister, where there is no stock in trade?—I am not sufficiently conversant with New York city to tell you, but in those municipalities in which I have acted in the case of interest derived from such an investment as you have mentioned, and professional earnings, the two things are exactly similar; 1,000*l.* interest at five per cent., and 1,000*l.* income pays precisely the same amount of taxes.

6384. You mean 1,000*l.* of income deduced from a capital of 20,000*l.*?—I mean that 1,000*l.* of capital is treated the same as 1,000*l.* income.

6385. Putting aside New York, suppose a man resides in a house in a rural district, and has got an income of 1,000*l.* a-year from money in the stocks, and another man has an income of 1,000*l.* a-year from his practice as a barrister, how will those two incomes be assessed?—They are considered as of similar value.

6386. They are assessed in the same way?—Yes.

6387. Mr. *Locke.*] Suppose a man earns 1,000*l.* a-year, and another man receives 1,000*l.* interest, and it so happens that the law of the State is to tax the annual value?—If it was the whole value it would be 1,000*l.*

6388. And if you deduce from that the annual value it is 50*l.*?—Yes.

6389. It would come to the same thing, because you would have a larger tax in the one case and a less tax in the other?—Yes.

6390. *Chairman.*] What is the amount in the pound upon that principle?—It varies in almost every city.

6391. Can you give an idea of how much it used to come to in any one city?—I do not speak of the last two or three years, which have been exceptional; the highest rate I ever heard within my experience on the whole value would be two dollars in the hundred.

6392. Upon the annual income?—Upon the annual value.

6393. Upon the thousand pounds: not on the 50*l.*?—Yes; I do not give that as the limit.

6394. That is very heavy?—Yes.

6395. That is for purely municipal purposes?—For purely municipal purposes.

6396. Are you speaking of cities or of rural administrations?—Cities.

6397. You include all purposes of municipal administration?—Everything; police, free schools, workhouses, infirmaries, reformatories, lighting, watering, paving, and everything.

6398. And the poor rate?—Yes.

6399. Mr. *Mill.*] And are the gaols included?—Yes.

6400. Is water laid on to every house?—To every house in New York; but there are towns without water.

6401. *Chairman.*] I am speaking of other towns; have they water laid on?—Some of them, not all.

6402. Most of them have gas laid on?—Yes.

6403. And the tax includes the lighting of the streets?—The gasworks are generally not under the controul of the corporation, but belong to separate companies.

6404. Does the tax include the sum paid by the municipality for public lighting?—Yes.

6405. Can you tell us what the municipal rate in New York is?—The latest information I have is about 1860.

6406. Before any of the charges of the war came on?—Yes; and I think the rate that year was about 1 dollar 55 cents on the whole value.

6407. That would be a comparatively low rate?—No, it is very high. Supposing the assessed value to have been in that year 150 millions sterling, the rate would amount to two-and-a-quarter millions at 1½ per cent.

6408. In that case the whole of the real property is taken as capital?—Yes, as well as personal property; and the rate would represent a sum of nearly 10,000,000 dollars.

6409. In New York, however, the amount is exceptionally large?—Yes; for the reasons I have mentioned.

6410. £. 2,250,000 would be the whole revenue raised for municipal purposes?—Yes.

6411. Do you recollect the population of New York at that time?—About 750,000.

6412. Are the poor-houses open to all comers?—Yes.

6413. What is the test?—As a general rule, the poor-houses in New York are managed by separate boards. In country places they are managed by the different municipalities.

6414. What is the test for admission?—Destitution.

6415. If anybody says he is destitute, can he go and live there?—The answer would be, "You must get work; you cannot come here if you can work." If the person is sick, and has been out of employment, so as to become a burden to his neighbours, he is considered a fair subject, and it is in the judgment of the particular municipality whether they will receive him or not.

6416. There is a committee of admission and they have absolute discretion?—Yes.

6417. There is no legal claim to be admitted?—No; it is a matter of grace and favour.

6418. Is there an infirmary, besides the poor-houses?

houses?—In New York there are a number of hospitals and infirmaries.

6419. Is the admission there also a matter of discretion?—They are open to almost every applicant.

6420. If people are sick and have to undergo the discipline and restraint of an infirmary they are admitted?—Yes.

6421. Have you anything further to add?—I may say that I have been a great deal about London since I have been here, having had a great deal of time on my hands, and it has occurred to me that the number and diversity of the powers that you have in different parts of the metropolis must be very inconvenient. I would suggest that the system adopted in the western part of Canada is a very excellent one, and would meet the difficulties of the case. All the separate municipalities in that province have each their power with regard to roads and so on within themselves; but the Legislature has given to the country municipalities the direction of all the main thoroughfares, not the roads passing through the townships, but the great highways. It has occurred to me that it would be a great improvement in London if certain great thoroughfares, to be specified, were placed, with reference to paving, widening, lighting, watering, and so on, under the management of a general Board.

6422. Do you find, looking at the state of the streets in London generally, that they are as well paved and kept, or the reverse, as in New York and other cities of the United States?—I think the great thoroughfares and public streets are better kept than in New York; but I think that many of the back parts of London, Bethnal Green, Spitalfields, St. Luke's, and so on, are worse kept.

6423. In what respect?—There are accumulations of rubbish, and the houses are in a bad condition.

6424. Are there no bad back streets in New York?—There are; but I think the supervision is more effectual.

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6425. You think that the back street here and the places out of sight are not so well kept as similar places in New York?—I think not. I do not say particularly New York, but the larger cities in the United States.

6426. Mr. *Mill.*] I believe that New York is said to be one of the worst places in the United States in that respect?—Yes.

6427. *Chairman.*] Have you any other suggestion to make?—I would suggest that the powers over prisons and other matters of that description, so far as the building is concerned, should be in the hands of the Board of Works instead of the magistrates. In the United States the internal management of the prisoners, the internal economy of the prison, is given to the magistrates, but the erection of the prison, the repairs and so on, are in the hands of the municipalities solely.

6428. The penal discipline within the prison itself is judicial or ministerial?—Yes; and it is the same with respect to all other buildings, such as reformatories, workhouses, and schools. There is a division of the duties.

6429. The municipality looks after the structure?—Yes; leaving to others the superintendence of the internal economy.

6430. Does that lead to their having a very efficient surveyor or architect, or other officer to watch over the buildings?—As a general rule, their prisons and other buildings are of the very best description.

6431. Is the municipality not well qualified to look after all these buildings?—Yes; they pay men liberally for their services, and they generally get the best men.

6432. As architects or surveyors?—In some cases of small towns the offices of architect and surveyor are combined. In the other case there is an architect and a surveyor. I do not know that I have anything else to suggest.

Mr. Arthur Alexander Corsellis, called in; and Examined.

6433. *Chairman.*] Where do you reside?—At Wandsworth.

6434. What is your occupation?—I am a solicitor, and I hold the appointment of clerk to the Wandsworth Board of Works.

6435. Do you fill any other office?—I am clerk to the magistrates of the Wandsworth division, and vestry clerk of the parish of Battersea.

6436. Do you wish to give any explanation with reference to the statements that have been made before this Committee of the parish of Battersea?—Yes. I wish to make a statement with reference to the auditing of accounts, of the conduct of the business at the district board, which have been impugned by a previous witness. The audit, as it is at present practically limited (it being simply an accountant's duty, and not that of going into the question of the propriety or legality of the expenditure), is, in my opinion, very fairly conducted.

6437. Do you understand that it is not the duty of the auditor to inquire into the legality of any expenditure?—I assume it is not, under the Metropolis Local Management Act, but assuming it to be so, I should advise the appointment of a paid officer in the same way as under the Poor Law Act.

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6438. Is there no audit as to the legality of the expenditure, according to your view?—The question has not been mooted.

6439. Is there no provision by law for examining into the legality of the expenditure?—There is a provision under the Amendment Act.

6440. What clause?—There is power to raise a question on the legality of the allowance to take that question to the Queen's Bench.

6441. That only arises if the auditor has performed his duty?—The question must be raised before him.

6442. If he is to decide it in order that it may go before the Queen's Bench, this question of legality must be raised before him?—Yes.

6443. Therefore, he is entitled to inquire into the legality?—I apprehend legally he is; and I assume, that being so, that the better plan would be to have a paid auditor, as in the case of the poor rate accounts. The question of the legality of expenditure has never been raised before my auditors, they only go into the question of whether the money has been really paid.

6444. If the auditor does not inquire into the legality and propriety of the expenditure, and if

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the law imposed that duty upon him, he is guilty of a neglect of duty?—If he did not go into that subject certainly. Then there are several points upon which my board desire evidence to be given. It was stated that the rates raised under the Metropolitan Act, in Battersea, amounted to 70,000*l.* or 80,000*l.* per annum. That is a most extravagant notion; the actual expenditure in the parish of Battersea, for the year ending 25th March last, with the exception of what was expended for the construction of sewers (which is borrowed money, and therefore spread over 30 years) was 17,000*l.*

6445. What was the amount expended for the construction of sewers?—Last year it was 20,000*l.*; they made a contract for 45,000*l.*, which will sewer almost the whole of the parish.

6446. Is there any other point which you wish to notice?—There are some other points: first, as to the class of men of which the Wandsworth District Board consists. It is said it consists of publicans, builders, and so on. I have a list of them here, and there are not more than one or two builders out of 57 members on the board. The majority of them are leading tradesmen, but there are a great many gentlemen, two or three engineers and surveyors, two solicitors; one in practice, and one retired; and a barrister who has just retired.

6447. The statement was with reference to a particular election, at which "three beer-house keepers, who wanted licenses, two retired publicans, a retired tripe-dresser, an undertaker, and others of a similar class" were elected: was that the case in that particular election?—I have no recollection of any such election. I recollect the election at which he says there were not 200 voters present. That was on a recent occasion, and there were no such persons on the board at that time. The witness stated that there were 2,500 ratepayers. Now, I know, as a matter of fact, that there are nothing like 2,500 ratepayers in the parish. There are about 3,000 assessments, but the number of the ratepayers is about one-third less. With regard to publicans, there are three victuallers on this list of the Battersea vestry; they are licensed victuallers, not beer-house keepers.

6448. Do you contradict the accuracy of the statement with regard to this election?—From what he says, I cannot tell exactly what election he alludes to; but I imagine it must be a recent one, and there were not persons of that description there at that time.

6449. Was there a year in which you had a very severe contest?—This year there has been a severe contest; but there were no public-houses open, or anything of that sort. I never heard of such a thing as public-houses being kept open, and the election being organised for weeks and months beforehand; and being officially connected with the parish, I should have heard of it if such a thing had taken place. With regard to the class of men constituting the Board of Works, I have explained that they are generally men in a superior class of life, and are always anxious to discharge their duty in every way. The witness stated that he had made repeated complaints of our duties being neglected. We always do everything we can with regard to nuisances. We were the board that was first beaten in the early operations of the Act with reference to some proceedings in which we wished to do away with cesspools. That was in the case of Captain Tinkler. Since then, we have always gone on the cautious plan of taking every case before the magistrates, before we do anything. We do not, however, get that assistance from the police court that we think we ought to expect; still we do everything that we possibly can. We generally meet with assistance from the police magistrates, but not in every case. We had a case the other day before a magistrate, and, although, I had two medical men to give evidence on the question of a piggery, which was in a close court within seven feet of a dwelling-house, the tenants of the houses came forward and gave evidence that they were not affected by the nuisance in any way, and the magistrate declined to make an order for the abolition of the piggery. Then there is another point to which reference has been made. I mean the encroachments on the commons in our district, and the interference with alleged rights of way. Complaints have been made, no doubt, about encroachments on the common; but I think that every one who has any legal knowledge will know that the board is perfectly powerless with reference to encroachments. We have no right of common of our own. The right of common is that of the copyholders. It is a question between the lord and the copyholders; the board have no right in the matter.

6450. Have they not a footway over the common?—There are paths across the commons in different directions, but opinions of eminent counsel have been taken in which they say that the public have no right to go over the common indiscriminately from one point to another, and the mere circumstance of there being a footpath in that way is not evidence that it is a public footpath. We have tried the question, and endeavoured to fight it repeatedly, but we have never been able to succeed. The Patriotic Asylum was actually built across one of those footpaths; we protested against it, and we know if the thing came to be investigated, we could not prevent it. The railway company has also enclosed a large piece which they bought under their Parliamentary powers, so the solicitor to the lord of the manor told me. Our district is one which is comparatively very extensive in point of area, being a suburban one.

6451. Mr. *Locke.*] Was there any effort made by the parish to excite the copyholders to get up any opposition to those encroachments, or did they show any anxiety about it?—They memorialised Lord Spencer.

6452. They took no other action upon it?—That is all.

6453. The result of that memorial was that he enclosed those portions of the common?—Yes; the present Lord Spencer has not yet done much in that way, the late one did.

6454. He let the land for the asylum?—Yes.

6455. In addition to that there have been a great many houses built at that end of the common?—At the further end, towards Upper Tooting, there is a triangular piece of land, 15 or 16 acres, enclosed by the National Freehold Land Society, and almost entirely covered.

6456. If there were commoners there they might prevent this?—They might have done so; I think they might interfere now.

6457. Do you not think that the parish authorities might have put them in motion?—I do not think so.

6458. *Chairman.*]

6458. *Chairman.*] You do not consider that you have a right to pave these footpaths across the common?—We should not be allowed to do so. We have endeavoured to repair them now and then, but the lord of the manor has always interfered. Statements have been made with reference to the assessments in Battersea, particularly with reference to the compounding of assessments. The mode in which that is carried out is this. Parish officers assess the property every six months, and I must say that they have done their duty, as far as they can, very fairly for some years past. The witness stated that there were houses worth 18 *l.* or 20 *l.* a year rated at 5 *l.* I say that that is not the case. The houses in compound are rated upon this principle, which is a very simple one; a house let at 5 *s.* a week produces 13 *l.* a year. It goes into the gross at 13 *l.*, and is rateable at 10 *l.* We compound for it at one-half, namely, 5 *l.*; that is the basis.

6459. Your rule is to convert the shillings a week into pounds for the rateable value?—As nearly as we can. A question was raised with regard to the amount at which we can compound. In the Local Act it is said that you may compound up to 15 *l.* a year; but it also says that whatever the amount of rating may be, if the houses are let to weekly or monthly tenants, you may compound. We find in our experience that in houses of 20 *l.* a year the tenants change so frequently that we constantly lose unless we compound. The houses are frequently let to two tenants, and if we rate one he perhaps goes away and another person comes in his place. We have the greatest difficulty in getting rates from persons of that class, but compounding in that way we get the rates whether the houses are full or empty. It is prejudicial in one respect in regard to the assessments, and Mr. Buckmaster made a point of that. The guardians charge the expenditure of the poor upon the rateable value as settled by the list, and in that list they take the rateable value of that property, ignoring the compounding. The consequence is that there is a large proportion of property in the parish which appears in the list rated at 10 *l.*, whereas we only get the money upon 5 *l.*, because there is a provision in the Assessment Act that it shall not affect any of the provisions for compounding. In that way we are, of course, charged considerably higher than we otherwise should be. We are also charged 700 *l.* or 800 *l.* a year for the Park land, from which we only get a very small contribution indeed from the Government, and that tells heavily upon us. There was a point also brought before you with reference to the accounts of the collector of local rates. Those accounts are examined by myself or by my assistants, and I see that the money is got in. It is part of my duties to see that they bring in their money. I go through the accounts with them by myself or my assistants, and when the accounts are closed, they are brought before the auditors, as I have already explained.

6460. Is there any other point which you desire to explain?—Mr. Buckmaster states that he has held several parish offices in Battersea. I know that he is not qualified for the vestry, and he has never been on the vestry. He was not qualified when the vestry consisted of 25 *l.* rateable householders, and he is not qualified now that the qualification is 40 *l.* He held the office of overseer seven or eight years ago, and he is now on the Burial Board. That is all that he has had to do with the matters that he has mentioned before the Committee.

6461. Mr. *Locke.*] Do you mean to say that he has never been on your vestry?—Never; he he is not qualified.

6462. But he might have got on without being qualified?—A sharp look out is kept, and no one is admitted who is not qualified. Another statement made by Mr. Buckmaster was, that many of the rates were never paid. If there are any, they have been in cases in which we have, unfortunately, put houses in compound, and then taken them out of compound, and assessed the occupiers. There is, no doubt, great difficulty in getting in rates from persons rated between 20 *l.* and 30 *l.* a year. Those are really the persons we have most difficulty with.

6463. What is the difficulty?—We have to summon them; Mr. Buckmaster says that we ought not to have so many as 500 or 600 summonses.

6464. Do you mean that they are persons not in a station to pay rates?—They do not pay till they are summoned.

6465. *Chairman.*] Do you get the rates when you do summon them?—Yes, certainly; the difficulty is that they change very often.

6466. Mr. *Locke.*] But then there is another occupier?—You can only get at the other occupier for the proportion of the time he has been in.

6467. If you collect at the proper time you can get the rate from the proper person?—We have always six months to get the rate in.

6468. *Chairman.*] Is it not the duty of the collector to take care that people do not go away without paying rates; you can follow them?—We can follow them if we can find them out.

6469. Have you ever prosecuted people for going away without paying the rates?—No; there would be great difficulty in that, I think.

6470. Is there any other matter to which you wish to refer?—There is one suggestion I should like to offer on a matter in which my board is particularly interested; that is, the mode in which the money is raised for expenditure. It is raised by precepts issued to the overseers. The members of my board are strongly of opinion that they should make the rates themselves without going indirectly to the overseers; that they who spend the money should have the opprobrium of raising it if there is any, and that they should be accountable to the ratepayers for the money they themselves raise.

6471. What is the use of keeping up your vestry?—The duties of the vestry are now confined to electing the members of the Board of Works, the churchwardens, and the members of the Burial Board, and little incidental things of that sort.

6472. If the board desire to levy and collect their own rates, they might as well undertake the whole affairs of the district?—I think they might as well collect the whole rates of the district; it would facilitate matters very much.

6473. They might as well administer all the affairs of the district?—They do, practically, except the administration of the Poor Law.

6474. There is another body called the guardians for the Poor Law Union which is conterminous with your district?—Yes; and I think that board might administer and collect the poor rate in the same way.

6475. Do you see any objection to there being

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one board for the whole affairs of your district?—One board for the local rates and one for the poor rate, I think would do very well.

6476. Why not have one board with committees?—That is a point which has never occurred to me. They have always worked separately.

6477. Why should not a committee have the power of administration the same as a committee for sewers or roads?—It might be carried out in that way, but the work would be very heavy. The guardians are engaged during one whole day every week.

6478. If they worked by committees there would be no more labour bestowed than there is now, if the committees were smaller?—No.

6479. Is there not a great deal of unity of purpose and object in the work of repressing nuisances, and looking after the houses of the poor, and finally relieving them when they become chargeable as paupers?—Yes, I think so.

6480. Are not the duties of the officer of health intimately allied with those of the relief of the poor?—Yes, our board have the same medical officer that the union have.

6481. Is it not an advantage to have the one duty performed in connection with the other?—They seem to think so, and there is no doubt about it.

6482. You derive an advantage from having one medical officer for both objects?—There are several officers, but the same men hold the appointments.

6483. There is a benefit from having one set of officers dealing with the poor in a district?—Yes.

6484. You have no chairman of your board, I think, but you have to elect one every time?—He is nominally elected every time; but he has been our chairman for some years.

6485. By courtesy?—Yes, practically he is our chairman.

6486. Is there any difficulty in the way of electing members of the board by wards directly, instead of electing vestrymen and letting the vestrymen elect the members of the board?—I should think there would be no difficulty about it.

6487. It would be just as easy to elect the member directly instead of electing a dozen people to elect two or three?—I should think so.

6488. Do you think it would be desirable that an auditor who is elected should have the power of sitting in judgment upon the legality of expenditure as well as upon the mere fact of the expenditure?—If he were a permanent paid officer, I think it would be desirable.

6489. Why not, if elected?—I do not think you would secure the same permanence and unity of action.

6490. You are afraid the auditors might be capricious?—They might be; the poor-law audit is satisfactory, and I think it might be similar to that with an appeal to the Metropolitan Board of Works, corresponding with the appeal to the Poor Law Board.

6491. Does your board spend any part of the money raised in refreshments?—The Board of Works of the Wandsworth district, I am happy to say, have never spent a penny in refreshments.

6492. Do the guardians do so?—They are not allowed.

6493. Have they not even the constitutional leg of mutton?—They have a dinner every week, but they pay for it out of their own pockets.

Monday, 23rd July 1866.

MEMBERS PRESENT:

Mr. Ayrton.
Mr. Knatchbull-Hugessen.
Mr. Kekewich.
Mr. Alderman Lawrence.
Mr. Mill.
Mr. Tite.

ACTON SMEE AYRTON, Esq., IN THE CHAIR.

Mr. EDWIN CHADWICK, C.B., called in; and Examined.

Mr. *E. Chadwick*, C. B.

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6494. Mr. *Mill.*] WILL you state the public offices you have filled?—As a Commissioner of Inquiry into the Administration of the Poor Law, I have had to consider the principles and to prepare measures which resulted in the consolidation of the administration of 16,000 parishes into some 650 unions. As a Commissioner of Inquiry into the state of the constabulary force in the country, I had to prepare principles of organisation and action which have led to the substitution of a parochial constabulary force by county police forces. As a consequence of my report in 1842 on the sanitary condition of the labouring population of Great Britain, I had a leading share in the preparation of measures by which the administrative arrangement for the water supply and drainage of towns have been consolidated in between one or two hundred cases under local boards of health. I refer to these cases of administrative consolidation, because in proportion as those principles have been adopted by the substitution of paid for unpaid service, in wider administrative areas economy has in every instance resulted more or less coincident with efficiency.

6495. You have had your attention drawn very much to the principles applicable to local administration as well as to general administration?—Particularly.

6496. And you have paid very particular attention to the local administration of the metropolis amongst others?—Yes. Under the Poor Law Commission, I had to examine the parochial administration of the metropolis. Under the Metropolitan Sanitary Commission, I had to examine, with my colleagues, the administration of works under sewers commissions and paving boards; and as part of the sanitary inquiry, I examined especially the interment of the dead in the parochial graveyards of the metropolis, upon which I reported. Under the consolidated Sewers Commission, I had to prepare, with colleagues, various measures for the amended drainage of the metropolis. Under the Public Health Act, and as a member of the General Board of Health, we had to direct examinations and temporary organisations of the means of administering relief to the sick on the occurrence of extraordinary epidemic visitations.

6497. It is well known that the experience which you acquired in all these different capacities you have made use of in turning your mind to the subject of the general principles of administration in its various branches. Although several of the subjects with which you are especially conversant are not within the scope of this inquiry, the Committee have no doubt that the general principles which you have been led by your experience to arrive at will be of great use in the inquiry?—It appears to me that the best mode of considering administrative organisation is to get a distinct view of what is required by the public to be done, and then a clearer opinion may be formed of the sort of agency required to do it. Now I venture to aver, in respect of the metropolis, that fully one-third of the existing death-rate may, and ought to be reduced; that is to say, taking the deaths at 60,000 per annum, 20,000 may be annually saved, and 20 times that number of cases of sickness may be prevented by measures, the results of which are so clearly ascertained, that if adequate premiums were given, data might be offered to commercial people as a private enterprise under which, with proper powers, they might safely undertake to contract for the attainment of these results.

6498. *Chairman.*] Do you mean one-third of the deaths throughout the whole metropolis?—Yes, a reduction of the death-rate of the whole metropolis by one-third; and it is known that, for every preventable death, as a rule, there are at least 20 cases of preventable sickness.

6499. Mr. *Mill.*] What is the nature of the evidence on which you found this opinion?—I found the opinion of what may be done for the whole metropolis on what has been done in particular cases, in distinct blocks of buildings which, more or less, represent the common state of other tenements throughout the metropolis; of blocks not of new buildings, but of old buildings where tolerably complete sanitary works have been applied. In such cases the death rates have been reduced to one-third, and even more. I might adduce cases where a fluctuation of from 30 to 38, or 40 deaths in a thousand has, by these means, been reduced to a fluctuation of from 17 to 20 deaths in a thousand,—still leaving much more to do. In the model dwellings, which I do not adduce, because they are model and new, but still improvable,—the death rates have been reduced, and are now about 17 in a thousand. The common death-rate in the metropolis being 24 in a thousand; but the death-rate in the houses occupied by the labouring classes especially can hardly be less than 30 in a thousand. I might present, as an example in the metropolis, the common lodging-houses; and if you could carry out, which it would be practicable to do, the amendments that have been carried out in those houses, the general death-rate would be probably reduced by one-half. However, in the case of the common lodging-houses, there is internal interference, restricting the space to be occupied to prevent overcrowding,

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overcrowding, and regulating the internal ventilation; but I refer to examples in old districts, not only in the metropolis, but elsewhere: old cities, such as Salisbury, where the death rate has, by tolerably complete measures, been reduced, as I say, to full one-third. It is on such evidence that I allege that one-third of the death rate in the metropolis (or 20,000 deaths per annum at least) is within administrative external public means of prevention.

6500. What do you consider to be the obstacle that the present state of things throws in the way of the adoption of improvements from which you expect these great results?—I may sustain my opinion of what is practicable to do from what is done in various instances, in whole towns, cities, and throughout the county districts. In the first place,—supposing the metropolis were clear of water companies,—a supply of pure soft water may be constantly supplied, and carried into every house, by a direct constant supply, not detained in tanks or cisterns, at the rate of 2*d.* per week per house; and supposing the metropolis were also clear of all sewers, or of old works, and had to be sewered *de novo*, self-cleansing branch sewers might be brought to every door, and all foul or waste water and excreta might be carried away from every house through self-cleansing main or trunk lines to the outfalls, at the rate of little more than 1*d.* or 1½*d.* a week. Then, supposing there were nothing but cesspools in the houses, the water might be carried into the houses with a supply pipe and sink, and a water-closet substituted for the cesspool, connecting itself with the sewer in the front of the house for another 1*d.* a-week; and with this result, so that instead of all the excreta of the metropolis being retained as they now are on an average, within the site of the metropolis for a year, either in house drains or in sewers of deposit, the whole of the day's excreta might be removed, as is the case in towns placed under good conditions, within a day, and before any stage of noxious decomposition could commence. The effect of the constant and complete cleansing and removal of all refuse, before it can stagnate or get into advanced stages of decomposition, is enormous. We made inquiries with respect to the state of the drains or sewers in the metropolis, and it then appeared that out of 1,500 miles of sewerage, there were 1,000 miles of sewers of deposit, besides old brick house drains of deposit, and besides a considerable amount of cesspool matter. All that could have been removed, and might be removed, I believe, now, at such a cost as I state, under a general and complete system of works.

6501. *Chairman.*] I do not want to interrupt the thread of your remarks, but I do not think that we should go too much into the history of the past. I should be glad if you would confine your remarks as much as possible to a practical view of the present state of things, and any remedies you can suggest?—Allow me to say, that I am reasoning,—not from the past but from the present,—from what is done in particular to what may be done generally. I deem the fact of a thing being done cogent evidence of its possibility; I say that all this being done in numerous instances it may be done throughout the metropolis.

6502. Mr. *Tite.*] Are you proposing to upset all the water companies, and all the present system of drainage?—I am stating at what price the work may be done for *de novo*.

6503. Do you think it is practicable to upset all the water companies, and all the drainage of London; to supersede the private companies, but to pay them?—I have stated the amount to which the death-rate may be reduced. I am stating the mode in which it has been reduced elsewhere, and in which it has been reduced in portions of the metropolis, and the mode in which, I believe, it may be reduced throughout the whole of the metropolis. There is another work requisite to that end. Much of the health of the metropolis, the poorer districts particularly, depends on the surface cleansing of the street. Unpaved and dirty streets affect the health of children particularly, besides affecting all personal cleanliness. Judging from trial works which we directed, the streets of the metropolis may be made as clean as a courtyard by the use of a jet, with a constant supply of water, as in Philadelphia and other cities, and as is being done in Paris, according to our recommendation, for another 2*d.* a-week. Then, with regard to the paving and the formation of the surface of the streets, that complete and as yet unexampled surface cleansing of foot and carriage way in London might be accomplished. I believe that the amount of horse traffic which a better formation and a better care of the surface, including some tramways, such as they have in New York and other cities, would reduce the number of horses nearly one-half; that is the horse-power required by the given traffic. That, though important as an economy, is also of some sanitary importance, for it would reduce the dung, dirt, and filth of the surface in proportion.

6504. *Chairman.*] Do you mean 2*d.* per week per house?—Yes, for all.

6505. Mr. *Tite.*] Whether big or little?—Whether big or little. The trial works showed that the daily cleansing by jet might be done every day in the main streets for 3½*d.* per week per house; in other streets, three times a week at 1½*d.*, and so on in proportion, the average being about 2*d.* per week per house;—that is, supposing the water to be supplied as a service at prime cost. Then there is another desideratum requisite as contributing to the health of the metropolis besides house drainage, I mean a permeable drainage for the removal of subsoil water. A great part of the metropolis requires subsoil drainage. In the lower districts we found that the levels, on account of the drainage, were almost an indication of the incidence of fever; epidemic attacks being most severe in the lowest districts, and the lowest districts were surcharged with subsoil water. The health of the metropolis itself is a good deal affected by the prevalent marsh winds from the east; and there is more of ague in the metropolis than people suspect. We included in the measures we recommended the subsoil drainage, that is to say, agricultural drainage for the open spaces, and fields, and lands, as well as for the sites of houses in some of the lower levels, and pumping to relieve them. That might be done; I have not the exact figures, but at a proportionately inconsiderable sum if it were done over the whole area; and it would be requisite to include the Plumstead and the Essex Marshes, and a considerable extent of uncovered land to the north and south-east, as well as to the west, in order to produce the result which I have in the reduction of the death-rate. The effect of a complete subsoil drainage would be, as it were, to elevate the whole area, and render it comparatively dry.

6506. Mr. *Mill.*] The estimate which you have made with regard to the amount at which these different things could be done is founded on actual experience?—Yes, it is founded on experience; namely, the rates at which they have been done in various towns and places, and in blocks of works, so far as house drainage is concerned, in the metropolis itself. It is a fallacy to suppose that works for the metropolis are necessarily dearer in proportion to its magnitude. In consequence of its magnitude, and there being a larger population on the same area, with higher houses generally, the drainage works and distributing apparatus, instead of being dearer, will be cheaper. The main drainage works will be less in proportion to the aggregate than in small towns where the houses and population are more widely spread. On the whole, there is reason to believe, especially taking into consideration the advantage of large contracts, that the data I have given are outside data, and that the objects may be accomplished at even less cost, if properly set about.

6507. You have mentioned the great improvements which in your opinion remain to be effected in the local management of the metropolis. What in your opinion are the administrative means by which those great improvements, or any practical improvements, might be effected?—With respect to works there is a necessity, in order to efficiency and economy, that they should be comprised in one large undivided area, under unity of management. It is necessary for those drainage works to which I have referred that you should begin with the dividing line of the water shed from the hill top down to the valley bottom, or the river; and there are other considerations that render it necessary to efficient works that they should be under complete unity of management, not only unity of management in respect of the natural drainage areas, but also as to the combined works within that natural drainage area. The connection and combined adjustment of the house drains with the street drains, and with the main drains to the outfall, to be efficiently done and to be self-cleansing, cannot be interrupted or broken without detriment, but must be under one management.

6508. You think therefore that the present management by which only what may be called arterial drainage is in the hands of the sanitary authority (the Metropolitan Board of Works), and the minor drains are in the hands of parochial authorities or local boards of works, and the house drainage sometimes not under any, is a vicious system?—Yes; my own conclusions in respect to unity of management and the administrative consolidation of works stated in 1842 were subsequently confirmed by the Commissioners of Inquiry into the Health of Towns. In that commission were Mr. Robert Stephenson, Mr. Cubitt, and other engineers; Sir Henry De la Beche, and many men of scientific authority, and they concurred in this; that the drainage of the house, of the street, and the site, also the supply of water to towns, and the formation, the drainage, the cleansing, and the maintenance of the roads of a district, comprising the natural drainage area, must be under one and the same authority, and that authority ought to be a public one; and all the consolidation in other places has gone to that to bring these subject-matters under one and the same authority, and that a public one.

6509. The whole drainage, therefore, of the metropolis, including the house drainage, you think, ought to be entrusted to a single authority?—To one single authority. In the Metropolitan Sanitary Commission of the metropolis we examined that subject very carefully. We said, "The metropolis presents, perhaps, the greatest variety of difficult conditions to be dealt with; upland districts and lowland marshes, with outfalls below high water mark, densely populated town districts, and open suburban districts, with much important agricultural drainage to be considered and provided for in the general arrangement of the drainage of the natural areas. The early improvements of these works in the metropolis cannot fail to be conducive to the extension of the like improvements in the provincial towns. The south side of the river, of course, forms of itself a distinct drainage area, and might be the subject of a distinct jurisdiction, but we need not advert to all the considerations amongst which is the saving to the ratepayers of the unnecessary expenses of separate establishment charges, which render it desirable that it should be brought under one and the same survey and course of systematic improvement, under the same administrative body. There are also engineering grounds for the proposed consolidation." We also stated, "It might be considered and objected that the details of management for so extensive a district would be numerous beyond the powers of one board to compass, and such would be the case if the same modes of transacting business, which are now in use in these district courts, were to be continued; if business which ought to be dispatched from day to day by paid competent and responsible officers giving their whole time and attention to the subject, continues to be reserved and delayed, incurring the expensive attendance of architects and builders until court days held at long intervals, when it is dispatched, unavoidably *en masse* by the honorary and irresponsible members who casually attend, and who dispose of it in the manner described." Then we went on to state, as corroborative of our views on this subject, "We shall have occasion to cite as an example the consolidation under the Metropolitan Road Commission, of the administration of the roads, formerly administered by a number of local trusts, comprehending the suburban parishes in the metropolis. Under that Commission the roads have been improved, the tolls and the debts reduced, and the business of 100 miles of road transacted satisfactorily, with less attendance and consumption of time on the part of the honorary members of the board than was previously required by the defective dispatch of business by any one of the numerous separate boards under which important improvements were found to be impracticable. It may be averred that the business of a commission of sewers for the whole of the metropolis may eventually be dispatched better, and more expeditiously than the business of one of the single commissions." With respect to the care of the roads. The Health of Towns Commission quite concurred with me in this, that the solidity of the surface of the roads depends upon their drainage, upon the adjustment of drains for the discharge of surface as well as subsoil water; the drainage of the roads, and the cleansing of the roads, must, for the sake of efficiency as well as economy, be under one and the same authority, especially if you take into consideration the prin-

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ciple of washing and cleansing the roads, as in the instances I have stated.

6510. Would you infer from this that the same body ought to have the charge of the drainage of the metropolis and the roads of the metropolis?—Yes, the footpaths and the carriage ways; suburban as well as urban. In the particular instance cited of the metropolitan road trust which worked so well, comparatively, to the smaller parochial administrations, we believed that the consolidation was imperfect, and that the consolidation with the drainage and surface cleansing arrangements, which drainage arrangements were entrusted to a separate authority, would be attended with further benefit.

6511. Sir Benjamin Hall's Act was subsequent to that report, I think?—Yes.

6512. Are you acquainted with the working of that Act?—No; but they present analogies to the previous working of the several district Sewers Commissions, which were consolidated into one Commission. I have here an important charge, exemplifying the principle of administrative consolidation. It is a charge by Lord Morpeth in 1848 to a jury of the Westminster District of Sewers, and it exemplifies the benefit that was gained by consolidation, and the evil that has been incurred by subsequent separations. He asks, "What has this consolidation, carried out by the Government, done for us? To take as an illustration the last subject under the consideration of the Court of Sewers, namely, the establishment of paid officers, it has given you a large increase of valuable service without any increase, probably with much diminution of expense. For the Westminster district there was formerly one chief clerk, Mr. Hertslet, and one chief surveyor, Mr. Phillips, able and efficient public officers, who are both retained for your service, whilst they are advanced to a higher sphere of duty, and to more satisfactory, because more efficient, service. But the improvement of drainage works demands scientific appliances and various abilities. We have added to the engineering force Mr. Austin as a consulting engineer, who has long studied the subject of town improvement, and Mr. Roe, who, as surveyor to the Holborn and Finsbury Divisions, took the earliest lead in the improvement of this branch of the public works. Adopting the recommendation of the Sanitary Commissioners, we have deemed the improvement of these works so important to the public health, and the proper performance of the subject so needful as to require undivided attention. We have considered that these services could not be properly attended to as incidents to private practice. We have therefore resolved that all the salaried officers throughout the several commissions shall, in this department at least, give their whole time to the public service, and shall be freed from private practice," an important administrative principle which has since been flagrantly contravened. Then he goes on to say, "By the consolidation you have gained the additional services of one chief clerk, of a consulting engineer and one chief surveyor, and two assistant surveyors, without any increase of expense to the Westminster district. The establishments and the payments are not yet fixed; but to the whole of the metropolis the consolidation has been attended with this undoubted gain of service with a reduced expense. The reduction in the surveying staff has already been from upwards of 6,000 *l.* per annum for fragmentary and imperfect service to 4,700 *l.* for a consolidated and improved establishment. The gain to each of the other districts consolidated will be similar, and each has now available the services of the entire staff and with a considerable reduction of expense. Secondly, you gain by the consolidation in all that efficiency of works which is dependent on systematic operations on a wide basis; or in other words you have had averted the worse than waste which is incurred by operations on a narrow basis by feeble establishments acting on limited information." Then he says, "You may be aware of how much of the suburban drainage consists of open ditches at the bottom of gardens." He goes on to show that on a large scale the works were greatly reduced in price, whilst they were advanced and improved in efficiency. The gains from consolidation, he says, are "the increase in the force of the establishment, the increase of the efficiency of the works, and the reduction of the expense," all which, it will, I apprehend, be found has been thrown back.

6513. I understand that you rely for the improvement of local administration principally upon the consolidation of the fragmentary portions in which the work is now executed and superintended, and placing them all under a single management; and you rely also for enabling these single management boards to get through such a mass of business upon the discharge of as much of it as possible by paid officers who devote their whole time to the subject?—Yes; upon that subject we said, "It has appeared to be our duty to state that we have had presented to us ground of exception against one class of appointments to these commissions, namely, that of surveyors, of architects in practice, of builders, traders, agents, and professional persons connected with building operations in their respective districts. The more the investigation advances, the more is it apparent that the progressive improvement and proper execution of this class of public works, together with the appliances of hydraulic engineering, cannot be reasonably expected to be dealt with incidentally, or collaterally to ordinary occupation, or even to connected professional pursuits, but require a degree of special study which not only place them beyond the sphere of the discussion of popular administrative bodies, but beyond that of ordinary professional engineering and architectural practice." The soundness of this conclusion will have been demonstrated at great subsequent cost of money as well as life to the metropolis.

6514. Then, having regard to the existing state of things, and the means by which it may be improved, what administrative changes would you recommend in the present local administration of the metropolis?—In the first place, going to the principle of entire unity of management, with whatever body, there is this great difficulty in the metropolis; there is a very large distinction to be made between honorary administrative service that may be required before and after the execution of such works. Supposing a town or a city to be got into good working order, the right choice of the water supply made, and the new works got into action, a right adaptation of the water supply to the right branch and main sewers effected, they will go on, as they do go on, with the regularity of steam, with only little accidents and questions of extension. The functions performed will be very different under those

those circumstances. The right selection of such great works as the water is a formidable difficulty, on which there may be very serious blunders unwittingly committed, entailing great cost, and in which the very best people, well-intentioned and intelligent people, may fail, and entail disastrous results. It took me some years of considerable attention to get a clear, decided notion of the right principles of a water supply for a city, and I think that an honorary administrator would have to read volumes on the subject to guard himself against being misled by strong sinister interests, as many able and excellent men have been and are. It would, in my view, require a special provisional commission, and a very different organisation from that which might suffice when the works were executed. The duty of determining on new works of the magnitude of the metropolis is a formidable one, and much mischief might be done by an error; I may state it as a fact, that if we had no sewers in the metropolis, all the necessary sewers and outfalls about might be executed for self-cleansing, from all the inlets to all the outfalls, for three millions of money; but by errors as to the scale of works, by errors on the part of engineers, such men as Mr. Robert Stephenson and others, who, however great in making locomotives, failed upon this matter; they have spent, or are spending, on outfalls alone, upwards of four millions of money, leaving the metropolis with an increasing death rate. A competent and impartial examination of the works done on one scale and those done on the other, will leave no doubt as to the error and waste that have been committed, to improve the health of the metropolis. Therefore I say there is a very great distinction to be made in the administrative, those which are required to devise or carry on works on a large scale, and those which may be constituted afterwards, to conduct them when they are established in complete working order; I am quite clear, and I think that all the people in the metropolis would join in that view, that it is much better in the first instance that the work should be carried out by a special body, a commission responsible to Parliament, rather than to uninformed or ill-informed representatives of the public in vestries.

6515. *Chairman.*] Does your statement with regard to the outfall apply to the existing system of drainage within the metropolis, or to some other system of drainage that you would be prepared to propose?—To the existing system, as contrasted with other existing and working systems. I may mention, in order to show the state of popular opinion and intelligence on this question, that there have been repeated declarations in Parliament that the great thing to be first accomplished was the prevention of the pollution of the Thames. Now we knew, very well, that the pollution of the Thames had really very little, if any traceable effect on the health of the metropolis. I got out a map of the incidence of cholera, on which were marked the houses in the streets attacked. The course of the disease, in closely clustered cases, might have denoted the course of some of the larger covered sewers of deposit; but directly we got into the lines of the houses open to the river the cases were comparatively few and scattered. I was indeed myself somewhat surprised to find that even during the time of the great river stench the people living in boats and ships on the river itself were comparatively free from attack. During the time that Parliament was annoyed by those smells, Dr. McWilliam, the medical surveyor, reported only two deaths of people on the river, and those were deaths from fever, which he believed was caught not on the river but on land, in houses in the interior. The mistake in imagining that the outfalls were the first and important work, is displayed in an increasing death rate, with progressive interruption. Then, there was another great sanitary error in not distinguishing, as few, even medical, witnesses who have talked of the subject, but not examined it, have distinguished between sewerage which is putrid and sewerage which is fresh. The sewerage in the metropolis is generally about a year old; but if it is discharged in a day, as with proper combined works it might be, it would be in another and far different condition. Under the old system, where the sewage from old sewers of deposit was discharged into the river, it killed the fish; now the mouths of some of the new self-cleansing sewers are the places where anglers find the greatest amount of sport, because the fish come there and feed on the fresh sewerage. If we could have emptied all the cesspools, and got a self-cleansing system of drainage to deliver the sewage of the metropolis fresh into the river, the result would have been similar. But fertilising matter ought not to be cast into the river; and by proper arrangements the sewage produced in the morning might be carried out of the metropolis seven, or eight, or 12, or more miles, and before evening might be deposited in chemical combination in the soil; not in mechanical suspension, but in chemical combination, safe from decomposition. That has been done in some cities on a small scale, and it may be done for the metropolis.

6516. Are you aware that a commission, exactly of the character that you have described as the very best mode of dealing with these matters, was appointed to deal with this very question; and that instead of proposing to diminish the size of the outfall sewers, it proposed to increase them considerably?—I am unaware that it was a commission of the character I have described, but I am aware of the errors that have been committed. By our plan, and all plans that have been properly considered, the subsoil water, the drainage water, the natural drainage in the open uncovered area, and the rainfall, should have been delivered to the river, and the sewage only to the land. Now, these outfalls have been mischievously applied to intercept and carry away upland and subsoil water, formerly discharged by the bournes and natural water courses; mischievously, I say, for this reason, that a great deal of that upland water, which swept and kept clear, or helped to keep clear, or to reduce the sewerage in a great quantity of sewers, of deposit between the upper outfall and the lower outfall; that water, which ought to have reduced the evil accumulations, has been diverted, and I believe that the accumulations are increasing, and that mischief, instead of good, has been done by these outfalls, as at present made. I have been told, that even the flow in times of storm, with all the surface flood water, which ought to have been carefully diverted from it, the main outfall sewer has never been more than one-third full. I believe, when fairly examined, the blunder to which I say uninformed or ill-informed bodies are liable, in the choice of works, has been exemplified in this instance demonstrably;

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strably; the general result is clear and undeniable; the object of the vast outlay was to reduce disease, to improve the sanitary condition of the metropolis; and the sanitary condition of the metropolis, the prevalence of the foul air diseases, is getting worse.

6517. Mr. *Tite.*] You suggest that there should be two systems of sewerage, one to take off the excreta, and the other to take off the flood waters?—The subsoil waters.

6518. If the flood waters go into the Thames, what will become of the excreta, the sewage proper?—The sewage proper will be removed in the channels provided for it, the impermeable drains, which when properly adjusted are self-cleansing without surface or subsoil water.

6519. *Chairman.*] Do you mean that there should be a double system of drainage, one for the rainfall, and the other for the sewage proper?—An impermeable system of self-cleansing drains and sewers to carry away the sewage proper, the waste water, the excreta, the night soil, and foul matter of every kind.

6520. Mr. *Tite.*] Where is it to go to, by your system?—On the land.

6521. How is it to be done, I mean from London; take the whole of the drainage of the Strand, how is that to get on the land?—As it has been put on the land at Rugby every day except Sunday.

6522. That is a small place situated on a hill and going down into a valley; I want to know how you are going to apply your system to the whole drainage of the Strand and the mass of houses that we see around us now?—Sixty thousand acres, at the ratio at which sewerage has been absorbed at Rugby and other places, with proper appliances, would be capable of receiving the whole of the sewage of the metropolis; it would be taken from the inlets down to the outfall, carried up by pumps and distributed over the land by pipes. There were trial works under the first consolidated sewers' commission which demonstrated that it was to be put on, I think, at the rate of a penny a ton. It is, however, quite proved and demonstrated that the application may go on every day; it has been done at Rugby on a small scale, demonstrating what may be done on a large scale except Sundays, and it might be done then; demonstrating the mechanical fact that the whole of the sewage of the metropolis might, on this method, be constantly and hourly put on the land so as to be immediately absorbed in the land.

6523. My only question is, how. I want you to apply your knowledge to the case of the metropolis, and tell me how it is to be done?—It is to be done in the way in which it is done, that is to say, by the use of engine power carrying the sewage through pipes into fields; in mechanical principles, the reflex of the method of carrying water by pipes from a distance into houses, much cheaper than it can be carried by hand power, with much greater economy than by the method of distributing in use at Edinburgh and other places, by submersion; I say it may be carried and put on by jet at the rate of 1 *d.* per ton.

6524. *Chairman.*] I understand you to suggest that the rainfall ought to have been separated from the pure sewage of the metropolis, and that the arrangements for conducting the pure sewage would be on a very much smaller scale, and comparatively inexpensive for the purpose of delivering the sewage proper upon the land beyond London?—Yes.

6525. Your view would be that the surface water should be drained directly into the Thames from the metropolis?—Yes.

6526. Mr. *Tite.*] And the dirty water taken by another system somewhere else?—There are some old water-courses, Eastbourne, Westbourne, and others, that by degrees have been improperly made into sewers. The house sewage, and the surface washing of the dunged and dirty streets and covered space, should be intercepted from them, and they should be restored as much as practicable to their primitive condition.

6527. *Chairman.*] Left the rainfall to follow the natural course of the old rivulets into the Thames?—Yes.

6528. Freed from all sewage?—Yes.

6529. You would have done that by a double system of drains through the metropolis?—Yes.

6530. One devoted to the sewage proper, and the other for collecting the rainfall and sending it into the main channels?—Yes.

6531. Mr. *Mill.*] Your idea is, if I understand you, that there are certain things necessary in order to contrive a new system, and get it going, which you think can best be done by a temporary body created for that express purpose, and which you think should be central rather than local?—Yes.

6532. But after the new system is once established, then it can be delivered over to local bodies?—No, to a different body, possibly; but not to different bodies; in the case of the metropolis, or in a case of this kind, I see no advantage, but a disadvantage, in disunity of superintendence in which there is unnecessary cost if it be good, and extra cost, jarring, and ill-working, if it be, as it mostly will be, inferior. After a general system has been established, there may be extensions needed and interruptions occasioned; and although those works may be small, yet it is very desirable that the extensions should be done with care and with the perception of the benefit of the occasional service of a chief engineer. I happen to live at Richmond, which was at first included in the metropolitan district. We began some portion of the works there for self-cleansing house drains, which act perfectly well, but that locality within itself, if I regard it as a sub-district under a separate board, is incapable of choosing a proper engineer, to complete the works, and there they remain only in a few streets, and I do not believe there is any immediate probability of getting them completed under that system.

6533. But if a general system for the whole of the district that you think ought to be included had been selected and actually carried into execution, and brought into good working order, to whom would you afterwards entrust the administration of it?—It has occurred to me that it might be done by a mixed administrative body. Certainly there ought to be, and will be with the disposition of Parliament, some persons in it directly responsible to Parliament to make particular inquiries as to proceedings in the metropolis. The body might be constituted partly of paid and responsible persons (for without payment there is no real responsibility), and partly of select representatives—a committee or conseil of surveillance, as in Paris. With respect to direct elections for this purpose, I think it is quite a delusion to suppose that you can ever expect

expect to get the whole mass of the people to inform themselves of the special nature of the great works, or of the qualities of persons, candidates, qualified to select or direct officers to conduct them. I think that is shown by experience, and that you must have recourse to, and secure, a higher order of discretion and of competence, moral and intellectual, even for supervisory service. Because, after all, there would be a great deal to be done in the determination of large contracts. It is all very well to say, "Why cannot a parish pave itself?" I say, the benefits of consolidation are enormous; you would have one contract as against 39, and contracts for cleansing 1,500 miles of street are very large works to look after, requiring a high degree of care and skilful management to achieve; even this one work of complete surface cleansing, which, as I have said, I believe might be done for 2 *d.* per house per week, completely, heavy falls of snow only excepted.

6534. You think that anybody locally elected would not be adequate even to superintend the different branches of local administration when they were well started?—I think you might possibly and by selection introduce the representative element to some extent; but you should mainly rely on permanent officers, as in the case of the Metropolitan District Roads Commission, looking to the elected or selected persons merely for supervisory services, not for any initiative or executive directions, and I should connect the whole, in the case of the metropolis, under immediate responsibility to Parliament.

6535. That would be quite consistent with having local boards elected, because I understand you to think that the main business, apart from the superintendence, ought to be carried on by permanent officers who would be selected for their special qualifications, and in that case the business of any administrative boards could only be the voting of rates, and seeing that proper persons were appointed to the offices, and that the funds were applied to proper purposes?—Apart from any political prejudices, the best specimen of administration is to be found in the operation of unity of management in Paris. Looking at the strides they are making there, we may well have reason to be ashamed of ourselves in comparison. The *conseil* of the municipality is appointed by the Government, and it is composed of men of eminence in science; Dumas, the chemist, members of the Institute, retired executive officers or administrators, who are competent to judge of the measures submitted to them for their approval by the permanent officers, and to audit and vouch for them. During the revolution of 1848 they made the body elective, and the competence and character of the persons elected was so inferior in all respects, that by universal public consent the old mode of responsible selection was resorted to.

6536. But I believe under the government of Louis Phillippe the municipal commission of Paris was elected by popular suffrage, although, I believe, the qualification was rather high, being the same as the suffrage for the Chamber of Deputies, which was high and restrictive. The commission, I think, was appointed in that way, and consisted then, as it does now, of some of the most eminent men in Paris willing to discharge those duties? — I am stating from recent communications in saying that when they attempted to get a council by popular election, the character of the body fell off so considerably that they reverted to the system of nomination.

6537. Do you not think it is likely that in the time of the Revolution, with the period intervening between the subversion of Louis Phillippe's government and the commencement of the present government, the municipal commission might have been elected more for political reasons than for any special qualifications, and yet that this might not be the case in a permanent state of things, even under popular election?—Apart from any political questions, this is clear, that demands for labour in these offices are greatly increasing, while the demands on the time of men for their own professional pursuits, or their own personal special studies are also increasing, and that you have fewer and fewer of a competent and a valuable leisure class from whom you can get sacrifices of time for public work. They have made their sacrifices, and done all they can in the way of daily labour in connection with their professions. After that they want the relief of amusement, and are not disposed, at least in the metropolitan districts, as far as I have seen, to labour for the public; and we find it to be exceedingly difficult to get committees of the right quality for the requisite service.

6538. *Chairman.*] You mean that persons of fortune and station will not give up their time for the benefit of the public in the metropolis?—We find it extremely difficult to get them; we had Lord Shaftesbury, the Astronomer Royal, and many men of science in London on that first consolidated commission, exceeding in position, in quality, in competency, anything that could be hoped for from direct popular election, yet it was extremely difficult to get working committees from amongst them, and the labour fell very disagreeably upon myself and Sir Henry de la Beche. The cholera then came, and other demands were made upon our time, so that I was obliged to give the matter up; I could not attend to it myself as incidental to my regular official duties; that more or less operated with others. I do not know what we might have done (for quarterly or monthly service), but we wanted weekly and several daily attendances, and it was extremely difficult to get them.

6539. Mr. *Mill.*] Probably you would recommend that administrative bodies of this character should, at any rate, have a permanent chairman, who would be selected for his qualifications, and should be considered as a permanent officer?—Yes, but any departure from the principle of unity of administration and the combination of works for the whole metropolis, I am convinced, will involve extra expense and inefficiency.

6540. You are aware that in Paris, although there is but one superintending municipal commission for the whole, the city is divided into a great number of executive districts, each of which has a mayor?—Those are the remains of old and effete functions and organisations. The mayors, I believe, merely register and do some notarial acts, in analogy with the mayors all over the country, but my recent information is that there really is but one administrative body at present in Paris, and that all the amendments going on are worked by engineers or paid officers, with occasional supervision by the *conseil*; there is nothing there like our inferior and wasteful parochial management. The public intelligence there does not tolerate anything of the sort.

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6541. Then is your opinion not favourable to any subdivision of the metropolis for any administrative purposes whatever?—I should like to confine my answers to the branches of administration to which I have chiefly referred. Certainly my opinion is not favourable to any subdivision as regards works, or as respects the administration of relief to the poor; but that is a topic which probably you will not enter. Then I think it is perfectly clear that the administration of the police ought not to be elective: judicial appointments, it is admitted, ought not to be observed. Formerly the appointments to the paid magistracy of the metropolis were jobbed; of late they have been improved, and there can be no comparison between the administration of justice by the stipendiary magistrates and by unpaid magistrates, with some exceptions of aldermen, but where the administration, such as it is, is really by law clerks. With regard to the separate functions of the corporation in the matter of police, they are really a hindrance. I observe that the City police is mentioned as an example of good management as compared with the metropolitan police. Now I know that crime is greater and detection is less frequent there than in other parts of the metropolis, and of all the police in the metropolis they are in the worst condition. The separation greatly hinders the action of the general police, and when I looked at the subject I found that the extra cost to the citizens was 20,000 *l.*; quite enough, when properly applied, to have trained and educated all the ragged neglected children running about the City, and to save them from becoming a chief object of the labours of a police, and a chief supply of the population of the prisons.

6542. Mr. Alderman *Lawrence.*] When you say that crime is greater in the metropolis than elsewhere, do you make that statement with reference to the statistics of population?—It is greater in proportion to the population and property. I can give you a statistical return proving that result. (*Vide* Appendix.) There is one thing I should have mentioned with respect to the metropolis and the unity of management in relation to the water supply. A constant supply of water is of vast importance for the preservation of property; a supply that you can make available in five minutes instead of waiting for engines that can only be brought to bear in 20 minutes. Now the proper body to prevent fires, and to have the charge of fire-escapes, is the police, but it is given to a separate body at an expense of 50,000 *l.* a-year. You cannot have a fireman, except at an enormous extra cost, to be constantly parading or be in readiness, of the 1,500 miles of streets, whereas you have a policeman passing over them every quarter of an hour, whose functions ought to be to help to stop calamities, and who ought to have the care of appliances for doing so, and ready appliances are furnished by the constant system of water supply.

6543. Do you mean that they ought to pump the engines?—Under a system of constant supply no engines would be required; it would be merely necessary to use appliances, such as they have in Philadelphia and other places for washing the streets. That is one of the benefits derivable from the constant use of the hose and jet. For street washing by hose and jet, you have an apparatus ready to be buckled on in an instant to extinguish fires. The method was adopted at Hamburg from our report, and was the means of stopping an immense amount of incendiarism.

6544. Mr. *Mill.*] Altogether the result of your experience and reflection on the subject, in all the departments with which you are specially acquainted, is that the whole of the metropolis should be under one management?—Yes, and from its being the seat of the Government, the Government itself should be required to share the responsibility of that management. I may mention as an instance of the recognition of legislative and administrative principle that it is distinctly provided in the American constitution that the seat of the Government, not only Washington itself, but Columbia, shall be under a distinct and special Government, responsible to the Senate, to Congress, or to the President.

6545. Mr. Alderman *Lawrence.*] Do you mean that there should be one Government officially and personally responsible for the metropolitan management, just as there is for the Poor Law and for the Home Department?—I should not select either department as an administrative model. I should only like to give an answer after some deliberation as to the executive machinery.

6546. Mr. *Mill.*] You think that the general executive of the country ought to have a share in appointing members of the controlling body, whatever it may be?—Certainly; they ought to be distinctly responsible for it. In Parliament, Members now indicate their notions of a Parliamentary responsibility as respects the metropolis, by asking questions about particular streets, or concerning themselves with the action of minor works there; and, certainly, works that concern about a seventh of the population of the country may be well attended to by them; I think there has been a gross dereliction of duty on the part of some representative people in not attending to this whole matter.

6547. Under such a consolidated body you would, I suppose, entrust the different branches of the metropolitan government to permanent paid officers, under the general superintendence of the body which was partially elective and partially appointed by the Crown?—Yes; but better with honorary supervisory service selected by the union.

6548. In that way you would expect to obtain officers, with first-rate qualifications, in each of the departments on whom would rest the principal part of the administration, the duty of the board being chiefly to look after them?—I think besides that you would, with responsible paid service, also get a higher order of voluntary unpaid service.

6549. You think you would obtain in the board itself a superior class of persons to those obtained now for any local purposes?—Yes; but I am clear upon this, that you cannot have in any of those works I have specified, any separation without disastrous waste.

6550. Mr. Alderman *Lawrence.*] Can you give an opinion as to the constitution of this board, the mode of election, and so on?—I think I should almost ask for a commission to consider that subject; it would require a great deal of deliberation, and more of exposition than I could at present give to the subject; it is one of serious difficulty; but if the engineers who promised their attention to the first works had performed their promise, if they had got on with some of the drainage works and prepared the way for a consolidation

solidation of the water supply, they would have diminished that difficulty and prepared the way for some other body to superintend the working of a system.

6551. Mr. *Kekewich.*] Do you take the American system as a model for your consolidated body?—Not at all; their local administrations are more on the model of our vestries, and it appears to me are more corrupt and wasteful.

6552. Although a system of that kind may be applicable to places of a smaller population, do you think that one body could manage all the affairs in such an area and with such a population as we have in the metropolis?—Yes; for the reason that with a proper system, and a subdivision of labour and order, you may manage a large subject matter of administration much better than you can a smaller one.

6553. Then you would have one large municipal body, and the other local bodies would be committees acting under that one large body?—I have said nothing about any elective local bodies; in the administration of the poor-law relief there may be elective local bodies with advantage in some districts; but the conditions, as respects works in the metropolis, are different.

6554. What would you place under the control of this large body; all the sanitary measures, sewerage, and the supply of water?—All the works, and the supervision of the action of the works necessary to the health of the population, and the circulation of the traffic.

6555. The collection of rates, the valuation of property, roads, and gas?—Yes.

6556. All under one body?—Yes, as in Paris. The supply of gas in Paris was, as here, in the hands of separate companies, but they have found that by a consolidation they could effect great economy; they effected and divided the saving between the gas shareholders and the public; they reduced the price of the gas to private consumers about 30 per cent. and to the public by 40 per cent., leaving to the shareholders a very considerable increase of dividend in consequence of an increased consumption on account of a reduced price, by means of this consolidation. We proposed that there should be a like consolidation of the seven water companies in London under one management; I think we should have saved about 15,000*l.* a-year by consolidating the collection of the water-rates with the sewer and other local rates. We made it out that in round numbers we should save altogether 100,000*l.* by the consolidation, and we considered that whilst the shareholders might be secured their existing dividends, with the increased value derived from public security in quality, and made worse by the method of distribution, that 100,000 *l.* capitalized would have paid for bringing a new supply of water to the metropolis.

6557. *Chairman.*] Where from?—Forty-five million gallons daily we find could be obtained from perennial springs, extending over nearly 200 square miles, in the sandy districts of Surrey, near Aldershot and other places.

6558. In the neighbourhood of the metropolis?—Yes; we found, by gauging the run of water during a day's supply in the metropolis (I think they then supplied twice a week) in dry weather days, that the waste of the water brought into London from this intermittent supply amounted to nearly three-fifths of the whole. The supply was 45,000,000 gallons, and the actual consumption not above 21,000,000 gallons.

6559. Mr. *Kekewich.*] You think the supply of water to London for sanitary purposes very defective?—Entirely defective. A commissioner who has been examining into the pollution of the river, and has taken water higher up from the new sources, told me the other day that having examined what that supply really was he should be extremely sorry to have to drink it himself; that was up above Kingston.

6560. *Chairman.*] When you have made arrangements to take so many miles of surface water or land springs, would you propose to prevent the owners of that surface from turning the land into burial-grounds, camps, and so on, which would not tend to make the springs over pure?—There has been subsequently a certain amount of occupation there; but there is one point with respect to the drainage of the metropolis which should be included in the suburban drainage necessary for this purpose; the drainage of the common lands, park lands, and other uncovered and uncultivated lands, from which a very good tributary amount of superior water might be obtained.

6561. Are you aware that that system was attempted at Rugby, when it put itself under the advice of the Government Board that was established in the metropolis somewhat resembling that which you have described?—It was.

6562. Are you aware that after the town had gone to the expense, which it was required to do under the direction of the scientific persons who were in the service of the board (which board was established by the Crown), the whole thing became a complete failure?—I am not aware that the whole thing ever came into operation.

6563. However, it did not supply the town with water?—Allow me to explain. This is one of the ignorant fallacies that have been put forth. There happened to be in Rugby, or near Rugby, nearly 1,000 acres of gravel; the water was within 18 inches of the surface; it was proposed that that subsoil water should be reduced by the drainage of the 1,000 acres, and it would have been worth while for the owners benefited to pay the usual price for land drainage for reducing the water, and give the excess to the town; but immediately it was wanted for the town they wished to charge for it as being of great value, and would not let the town have it, except at an exorbitant price. There was a mile or a mile and a quarter of road through it which was subsoil drained, and that ninth or tenth of the proposed drainage area was found to yield so much that with that supply the town went on for a considerable time. In order to get an additional supply, the full supply by land drainage never having been obtained, having been successfully resisted, an artesian well was sunk, which I believe was a failure.

6564. The artesian well was sunk by the board at Rugby, under scientific advice of the highest character, was it not?—I do not know what the character of the advice was. The General Board of Health had always advised against supplies by artesian wells, seeing that two out of three had failed.

6565. Did not the Board of Health at Rugby put itself into the hands of people who were said to be extremely scientific?—I do not know what hands they placed themselves in; I prefer not to speak about them.

6566. In point of fact, they sank an artesian well until they went deeper and deeper, and finally

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finally arrived at a brine spring?—I have only heard that it was a failure; and, with respect to the other portion, the application of subsoil drainage to a supply of water, that was really not carried out as planned.

6567. Are you aware that having exhausted all that scientific advice, and having had the benefit of a commission and an establishment such as you have suggested, the Board of Health is finally driven to the necessity of going down to the river and taking water from the river for the purpose of supplying the town?—Very likely, owing to the resistance of the use of the land in the way I have stated.

6568. Are you aware that the Rugby Board of Health, having been one of the first boards to take advantage of the Government establishment and of the scientific assistance which it offered, has the misfortune to suffer more than any other board in the country from the course it has pursued?—I am unaware of that.

6569. In finance and in practical results?—I am utterly unaware of it; and I utterly disbelieve it. I think there is about as good foundation for that assumption as to the results of advice as there is for the assumption with regard to the failure of subsoil drainage; I think it is equally well founded; that is, equally unfounded.

6570. You think that when the Government Board of Health was established with its scientific officers to advise and assist the country, Rugby did not take advantage of that system of seeking the scientific advice that it was established to afford?—Certainly not, in respect to the works; they followed very much their own advice, except that in respect of the application of the sewage they were advised to apply it to about a third of the district that it was applied to, and it is now proved that, if that had been done, two-thirds of the capital would have been saved, and a better example would have been presented to the public or to other enterprisers.

6571. Mr. *Kekewich.*] Are the springs that you speak of deep perennial springs, or only surface water?—Perennial springs.

6572. They are not dry during any part of the year?—They were taken in a very dry weather season. We considered that in the case of the metropolis, the value of pure water was so great, that it would be worth while to go a great distance, even to Wales, for it; and Mr. Bateman has proposed a plan for going to Wales for it, and for getting 120 or 140 or 200,000,000 gallons a-day. If 200,000,000 gallons of superior water can be obtained at the charge proposed, namely, 6*d.* per house per week, and 6*d.* per house for compensation to the companies, it would be worth while to get it, if on a competent re-examination it should be found that no adequate quantity is now to be got from unoccupied land as gathering ground.

6573. Do you think that rain-water may be utilized for washing, and other purposes, by the inhabitants?—In the metropolis it is so mixed up with soot, that it would be objectionable; but a soft-water supply, such as we contemplate, or such as is obtainable from Wales, would save one-third of the tea, and a proportion of the soap.

6574. You are aware that in the country we make great use of the rain-water, by means of shoots, in large establishments, such as lunatic asylums and workhouses?—Yes. With respect to the supply of gas, I think that that ought to be as it is in Manchester, under one body. At Manchester it is under the municipality, and they get, I think, 20,000*l.* a-year from it. But there is a very important consideration bearing upon the supply of gas; that if it is supplied very cheap, it may prove to be cheaper, for intermittent domestic uses than fires, and in that way do a great deal for the diminution of smoke. But with regard to unity of management in all respects, the circulation of the streets, the condition of the streets, and in every other way, there is nothing, as far as I know, either here or in America, or any where else, that equals the present administration of Paris.

6575. Mr. *Knatchbull-Hugessen.*] You speak of certain advantages to be obtained by certain rates; 2*d.* a-week from each house in the metropolis; what is the precise area that you comprise in the metropolis?—The whole of the 350,000 houses.

6576. You propose to combine all those into one large municipality?—To accomplish unity of administration, there is no division in any large branch without loss.

6577. Mr. Alderman *Lawrence.*] If I understand you, you would place the whole management of the metropolis under one board, that board to have the management of the sewers, water, gas, paving, roads, footpaths, lighting, and so on?—Yes; as in Paris.

6578. The police and the magistracy would be a separate matter?—Yes; and there might be a distinct department for the administration of relief to the sick and to the poor.

6579. The management of the relief to the sick and poor you would place under a separate body?—Yes.

6580. The board which you propose to manage the whole of the metropolis you propose to be partially appointed by the Government and partially elected by the people?—Yes; possibly to some extent by election, but preferably, I think, by selection.

6581. How would you have the chairman elected?—I should prefer not to go into details, and before giving an opinion on that subject, I should like to get detailed information as to what is now really done in Paris.

6582. Would you propose that the whole of the board be paid?—There would be some honorary members and some paid officers, but that would be a matter requiring a great deal of consideration as to what extent the element of payment should be applied. The executive would mainly consist of paid officers.

6583. Should the chairman be a paid officer?—Certainly.

6584. Should the board have the election of the chairman, or the Government?—I think the board might elect its own chairman, but that is a matter on which I would rather not offer an opinion.

6585. In electing representatives to this board, would you propose to have them elected from various wards of the metropolis, or from the whole metropolis?—Mr. Hare has proposed a plan which I should like to consider. I think something might be done by it, especially by the collection of votes by means of vote papers, with proper indications sent out as to the position of the parties nominated.

6586. This board, I presume, would take upon itself all the functions performed by the present Metropolitan

Metropolitan Board of Works, the various vestries and corporations at present in the metropolis?—So far as works are concerned.

6587. And this board would have the taxing powers of the metropolis for the carrying out of these necessary works?—I think the taxing power might be referred to Parliament. It is of a magnitude to be determined by Parliament. It would be of such a magnitude as to require a good deal of care in preparation.

6588. When you suggest that if new drainage and new sewers were made for the whole of the metropolis, which might be done at a certain cost, I presume that is merely a calculation; you do not really suggest that a fresh system of drainage should be made, and that the present drainage should be discarded entirely?—Yes, I do. I suggest that all drains of deposit, all extended cesspools, the house drains of deposit, and other sewers of deposit, and everything that is not self-cleansing, or that cannot be made self-cleansing, to be ascertained by proper examination, should be got rid of as quickly as possible as a source of poison. To show what might be done, and to show the false basis upon which architects and other persons have been acting, I may mention that we had trial works of a very important description. For instance, in a line of sewer which accumulated deposit, and cost, I think, 2 *l.* or 3 *l.* a-week for cleansing, with the same fall and the same run of water, we put down a 15-inch pipe which swept away stones and everything, becoming self-cleansing, whilst the other was accumulating deposit. I am sure that there need not be, and ought not to be in London, any amount of excretary matter kept to enter into decomposition longer than a day.

6589. Mr. Alderman *Lawrence.*] Then, under this board, you would have first-rate officers at highly remunerative salaries to carry out their separate departments; that is to say, an engineer, a sanitary officer, an officer for water, gas, and so on. You would have men specially educated for these various departments with the best appliances that could be got, and so effect a great economy?—I think that would be the result, judging from the decided success that has attended the scientific appointments by competition in connection with the engineers. New engineers have been appointed by competition, who will be decidedly superior to the old. The medical officers of relief in Paris have for years been appointed by competition, examination by *concours.* The *concours* is viewed by the profession, and by everybody, as their great charter. I think that principle may be applied, and that it would remove a great many of the difficulties that exist in the way of the distribution of patronage.

6590. From what you stated some time since, I presume you would suggest that almost the same course should be taken with respect to the government of the metropolis as was taken with respect to the poor under the New Poor Law. I think you suggested that it would be advisable to have a commission to inquire into the whole matter, and in that way a system might be formed as in the case of the Poor Law Commissioners?—I think that existing data might to some extent be taken; those obtained under the Sanitary Commission which have been confirmed by subsequent practice; because what we said would arise, and what did arise from consolidation and distribution, as I have shown, has been destroyed, and the very reverse has taken place in consequence of the separation of imperfect functions amongst some 30 or 40 fragmentary bodies. It is impossible that the health of the metropolis, or its economy or administration, can go on until that false step is retraced. I declare confidently, and I wish it to be understood, that every year's delay of such an administration as shall ensure complete and efficient works is at the cost of 20,000 lives, and the loss in labour, in expenses of various kinds, entailed by excessive sickness, I am sure cannot be less than 2,000,000 *l.* a-year.

6591. With respect to the water supply from the gathering grounds to which you alluded, have not great changes taken place in the views of scientific men as to the capability of those gathering grounds for the purpose of supplying London, as to which, some time since, they were pretty well agreed?—I do not know that any change of opinion has taken place, for no change has taken place in the rain-fall, and no change has taken place in this fact, that you can collect generally two-thirds of the rain-fall upon any given area. No doubt much of the ground may now be occupied, many of the springs may have been intercepted, but at the time I mention the perennial springs were ascertained to be what I stated, yielding about 45,000,000 gallons daily.

6592. With respect to the sewage going into the Thames, formerly, and causing great effluvia and unpleasant smells (which I understand you do not consider detrimental to health, in consequence of the course of the cholera not so marking it out), are you not aware that the same thing would apply to Bellisle or Frenchtown and that neighbourhood?—The difference is that in the river you have a sweep of wind diluting any emanations. The fact is that the immunity of the river population during the period of the stench somewhat surprised me; but there is the evidence that in ordinary times directly we came to the open space a great difference was perceptible. Where the effluvia were enclosed between walls and buildings, as in the case of some of the sewers, you could mark the course of any excess by the amount of death, but directly you get into the open river there was, or amongst houses opening upon the river, a reduction of the epidemic attacks. We could not trace any proportionate excess there, even during the time of the stench; I was myself surprised that it was not otherwise.

6593. With regard to the police of this metropolis, which you consider ought to be one body, you referred to the police of the City as being badly managed, and less efficient than the general body of police around them?—Yes, comparatively.

6594. Are you aware that the bankers, merchants, and large warehouse-keepers and shopkeepers in the City are especially anxious to have that police, which they believe more effectively answers their purpose, and for which they have to pay a larger amount than if they were under the jurisdiction of the metropolitan police?—I must see the evidence of that. If it were properly put to the ratepayers whether they would be under the metropolitan force or not, I do not mean to the members of the Corporation who are rather numerous, I think the result would be different, especially when they saw that they would save 20,000 *l.* a-year and obtain greater facility of intercommunication, and efficiency in police administration.

6595. Are you aware what has been the result

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of all public meetings upon the subject in the City?—All those meetings have probably been ward meetings, but I think if I were to take a house to house collection of votes, I should get a very different result.

6596. Do you state your opinion from any statistics that you have obtained upon the subject?—There was a very decided statement made by Sir Richard Mayne, which exhibited statistics upon the subject, and I know if Sir Richard Mayne gives statistics that I can rely upon them. They related to the proportions of apprehensions and convictions, and other test points of efficiency.

6597. Are you aware that in taking the statistics with respect to the population of the City, a very great fallacy might arise from not taking into consideration the fact that the sleeping population is no test of the population living in the City daily?—I believe the City has lost a great number of persons of wealth and station who formerly lived there, but who now live elsewhere, out of the civic atmosphere.

6598. Therefore statistics grounded merely upon the sleeping population of the City, respecting any circumstances whatever, must of necessity be fallacious?—Not fallacious in respect of robberies, because those persons are there as bankers and in other capacities; they are there to have their pockets picked in the day, and their houses robbed during the night, wherever they sleep at night.

6599. Are you aware of the difference in the population of the City by day and by night?—Of course there is a difference to the extent to which people who can afford it; people are carried out to their suburban villas and other places. What their number may be I do not know, but I expect that all are in the City during the day, in their counting houses or in the crowds.

6600. Are you aware that testing the results by the population of the City in the day and the amount of property, the extent of robbery, in the City, is smaller than in any town or village in the kingdom?—My researches, as a Constabulary Force Commissioner, included somewhat, I will not say very much, the City of London, and I could not, at that time, pay any compliment to it. Whether it has improved since then I do not know.

6601. Can you tell me how you took the statistics at that time, whether you took the population from the census returns?—I do not remember exactly.

6602. *Chairman.*] Will you be good enough to state precisely what steps you think necessary to prevent the death of the 20,000 persons who die in excess of what is reasonable?—Those steps which shall, in the first place, clear the thousand miles of sewers of deposit, and remove the amount of matter in ill-drained houses, in ill-drained courts and alleys; those steps that are requisite to carry a constant supply of pure water into every house; those steps that are necessary to pave the surfaces, to cleanse the surfaces, to prevent the existing amount of filth and foul air that deteriorates the health of the children. Those are the first steps.

6603. With regard to the application of science to the construction of streets and other matters, do you think that consistently with the application of science there may not be local administrators to carry out the principles and rules of science when they are established?—There might possibly be, but it would be an unnecessary expense; for on the hypothesis of separate district management, there must be a superior paid officer in each separate or sub-district. In the Metropolis Consolidated Commission of Roads Sir James M'Adam was the chief paid officer. Now, in 39 or in 100 parishes they have 39 or 100 Sir James M'Adams, but they must pay for them. If there is only a road to be extended, these extensions will take place gradually, and even any small extension may, under unity of management, partake of the benefit of the highest scientific superintendence.

6604. If you have an authority that can determine the best formation of a road, what necessity is there for having any person of particular ability or capacity to work out the details all through the metropolis; is it not almost a mechanical operation?—There is something in that. I remember the case of Richmond, where we are sticking fast, because we cannot get a person of competent science and influence to superintend, much less initiate, combined work. There would be a difficulty with vestries in determining the course to be adopted; it is beyond their information, and they would be exposed to all sorts of quackery, even for subordinate works.

6605. Is there not a distinction between simply laying down a general rule for that which is best, even if you can arrive at what is best, and the daily administration of that which is merely conforming to a rule, and requires little or no intelligence?—Whatever general rules are formed, whether in respect of house drainage, street drainage, or other works, if, for instance, there is a suburban extension to be made, with new blocks of buildings to be carried out, it might possibly be done in conformity with those rules; but it could not possibly be done without extra unnecessary expense, of a separate administrative body, with unnecessary labour of consideration, and the chances of obstructive error and disputation, and the certainty of delay whilst under unity of management; it would be done, under the general superintendence, by a responsible officer, instead of having a large body, blundering as to contractors, workmen, and others; it would expedite the work in point of time, and reduce the expense to have it all under one board.

6606. Is not the object of getting an administration minutely localised to have a guarantee to all the inhabitants that they shall have their full share locally of the benefits of the administration?—But the inhabitants, unfortunately, do not know, and you cannot inform them as to the principles of drainage or other works, so as to enable them to make a choice of a competent officer; and if they do make a choice they must have that separate superior officer for all time when he is not wanted.

6607. Supposing the best form of constructing the works, and conducting the operations, can be laid down by authority, then is it not an advantage to the people that they should have a localised representation, for the purpose of insuring to them the full benefits of those operations, whatever they may be?—In the first place, it does not insure them, but endangers them.

6608. Does it not insure them in two ways: first, that their representatives being local have the power of observing the performance of the duty, of seeing whether the thing is done or not, throughout the locality; and next, does it not give to them a vehicle of representing their grievances

grievances and maintaining their interests?—In the first place, they do not get a representative who does know about the works; and, in the next place, in respect of any grievance, if there is a grievance, it will be best communicated to the responsible officer of the chief authority, and by them with large means be the most promptly redressed. Under the Consolidated Metropolis Commission of Sewers blocks of buildings were drained on very good principles, and there, I believe, they remain isolated, and without completion or extension through any of the districts under any of the newly appointed local boards under the Central Commission. An engineer was sent down to see them properly done: well-known contractors, who work on a large scale, did them more cheaply and quickly than they could be otherwise done. Those benefits of cheapness, quickness, and certainty, are obtained by consolidation, and must be lost by vestralisation.

6609. Have you not just as good a chance of quickness and certainty, assuming always that the principles of that which is best can be ascertained and recognised, where a smaller administration is carried on by parties interested in a district, as where a large administration is carried on by persons interested in many districts?—You have an example before you in these districts now, for the works are all going back; plans are presented, and examples laid down, but all the assumptions are negatived by the existing facts.

6610. Mr. *Mill.*] Have you anything further to state in elucidation of your views?—I see that examples have been cited of the well-working of the municipal administrations in Liverpool and other places; I am conversant with those administrations, having had a great deal to do with them, and I find that the tendency is greatly to neglect the most important works required for the improvement of the sanitary condition of the people; that the owners of tenements of a kind to be amended get great power, and stop important works which threaten to interfere with them. At Liverpool there are stated to be some 60,000 cesspools, and the death-rate is increasing from preventible evils that have been expounded over and over again, and that are evaded. The works that find favour with such bodies are those in which the brick-and-mortar interest prevails, opening new streets, building new edifices of great grandeur, leaving the districts that require to be cleansed and drained as they are; whilst more than enough has been spent in works of that kind to have reduced the death-rate very considerably. I may say with regard to the French administration, as being superior in that respect, that whereas such municipalities as those of Manchester and Liverpool have been going on with increasing death-rates, in France the amendments, though only now beginning, and leaving underground drainage works yet to be amended, have been so directed as to have considerably reduced the death-rates; in Bordeaux, for example, the death-rate was about the same as at Liverpool, and they have already got it down to nearly one-third, and the same may be said with regard to Lyons, whilst we, with our administration in London, have been increasing our death-rates; in Paris, though they are only beginning, they have effected a marked reduction.

6611. Mr. *Knatchbull-Hugessen.*] What reason have you to believe that the evils which exist in the municipal governments of Manchester and Liverpool would not exist in the great municipality which you propose for London?—If it were of the like constitution they would exist.

6612. Do you trace the evils to the effects of local election?—It is very difficult to say shortly more than I have already said on that topic; I see it is stated by the town clerk of Manchester and the surveyor of works of Liverpool that they prize self-government; they have very good reason to do so, for the town clerk gets a salary greater than that of an Under Secretary of State, 2,000 *l.* a-year; in our sanitary commission the most effective officer, Mr. Rawlinson, now gets 800 *l.* a-year, and his travelling expenses, for superintending all the new chief sanitary works of Lancashire, while the officer of works for that ill-administered city of cesspools and heavy and increasing death-rate — Liverpool — has 1,500 *l.* a-year.

6613. Do you think that the infusion of a new element by governmental appointment will in the case of the municipality of London counteract the evil effects of local election?—I think it might be done in that way; but I do not attribute the evil solely to local election, but to defective administrative areas and constitution as well; I believe that our boards of guardians are better elected than any others; but with respect to these vestries, according to all accounts, the system of popular election is really one of self-election; small cliques are brought together for the purpose, and the people know nothing of their vestrymen or of their so-called representatives.

6614. In fact the principle you propose is that which may be called by the unpopular word "centralization"?—Administrative consolidation is the better term.

6615. Unity of administration?—United administration whether by a local or any other body, and responsible paid service instead of irresponsible unpaid service. That is the first step; you must diminish the demand for unpaid service and throw it more upon paid tested and well qualified service,—requiring from the unpaid merely supervisory duties, duties of audit, and concentrating the responsible where only it can be concentrated or where only it can attach, namely, to paid permanent officers giving the whole of their time to their duties. Any expectation of real responsibility from unpaid changing representative service, is illusory.

6616. You say that you have not considered the details, but you are aware that in applying these great principles it is necessary to consider details, because sometimes they render the application of principles very difficult?—Yes.

6617. You have not thought, I suppose, of a place of meeting for your board?—I think they might meet in a central place in the metropolis. We had a very convenient place of meeting for the Consolidated Commission of Sewers, and when any question of any remote district was concerned they got a great deal more information about it than any local body could get. The information was impartial, and derived from officers of high qualifications for judging of what they saw.

6618. Do you think that the mixed principle of self government and nominees of the Crown is one which works well generally?—Of course you have the risk of inferior nominations, but I venture to say with regard to all these bodies, that all the improvements that have taken place have not been *ab intra* but *ab extra*, and generally by

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responsible paid officers giving their undivided attention to the subject.

6619. Have you ever turned your attention to the practicability of some of the suggestions you have made and the mode of getting rid of opposition?—If those persons are allowed to have a voice who ought never to have a voice at all in the matter, those who are interested against, if their opposition is to prevail, there is an end of all great improvements.

6620. Do you not think that you would have combined against your proposal the Corporation of the City of London, a great many of the water companies, gas companies, and others, so that the difficulty would be almost insuperable?—No doubt you must make up your mind to a great deal of opposition. It has prevailed already against distinct expositions of principles of amendment at a cost of some 20,000 lives annually, and until the Legislature and the community get sufficiently enlightened to set it aside, there is no chance. With respect to the water companies, however, the method might be adopted which I mentioned before, of dividing the saving between the shareholders and the public, giving the companies the benefit of the public security, by which we should have increased the value of the shares; those paying five per cent., for instance, if they were at par, would have the extra saleable value of Government securities, or one-third more.

6621. You are aware that, with regard to one comparatively small point that has been suggested with respect to the police, that the City of London was powerful enough to defeat the Government, and the very strong feeling which existed at one time in favour of your view?—Certainly, because the Government was indifferent; I must not say anything about Parliament, so long as those oppositions are allowed to prevail, there would be an end of all improvements. Whilst we are going back, with all this expenditure of money, others abroad are going forward.

6622. Mr. Alderman *Lawrence.*] Do I understand that the management of Liverpool is in no way superior to the management of London?—Not a bit; in my estimation, I think it is wasteful in regard to works, and very pernicious in the results, particularly with regard to the sanitary condition of the population.

6623. You have alluded to Paris, and the great improvements that have taken place, and are taking place there, but have they been successful in Paris in reducing the death-rate down to the death-rate of London?—They began from a much higher point than in London, I think it was 31 in a thousand, and they have now got it down to 25 in a thousand, speaking from recollection. That applies, however, to the whole of Paris, and if they abolish their cesspools, I have no doubt they will make it one of the most healthy cities in the new districts in Europe.

6624. Still, at the present moment, the death-rate is not so low as in London?—Not quite; but the rate in London is going on increasing; the occupation of the houses in Paris, however, is three-fold greater than it is in London, and though the houses are generally higher, the over-crowding is greater.

6625. Do you consider that Paris is now as well supplied with water, and as well drained, taking the small and the narrow streets as well as the wide ones, as London?—I have referred rather to the progress made than to the positive condition with regard to the supplies of water; politics came in, and the interests of the *Porteurs d'eau*, a body of about 3,000 men, had to be considered. There were great difficulties in the supply of water from the street, and the water in the river close by is none of the best, so that they have had to go a great way for it. They have not yet been able to carry it into the houses; if they do so, and then remove their cesspools, they will be in a very good state. I rather alluded to their management of the roads, the circulation of traffic, the supply of gas, and other points of order, which are patent to observers.

6626. Then we may take it that, as a whole, Paris is not so well supplied with water, nor so well drained or paved as London?—I do not think that London, with its thousand miles of sewers of deposit, and extended cesspools, and ill-drained and marshy suburbs, has any advantage in respect to drainage. London has a great advantage in wider streets, and in having only one-third the number of people to a house, and a wider area. There is an enormous over-crowding in Paris, and it has not yet been sufficiently diminished.

6627. Are the poor as well taken care of in Paris as in London?—I believe they are; I have not made any particular comparison; but the medical treatment of the sick poor is a model to us.

6628. When you alluded to these Boards being guided by scientific opinions and scientific men, as contra-distinguished from men engaged in trade or in professional pursuits, are you not aware that within the last 30 years the views of scientific men with respect to the supply of water, with respect to drainage, and with respect to most other matters of that kind in London, have altered very materially?—"Scientific men" is a phrase very much misapplied. I do not know that there is any difference of opinion as to a constant supply of water delivered direct and fresh being better than an intermittent supply kept in cisterns. There is no difference of opinion, I believe, on that point.

6629. Have not the views of scientific men changed with regard to the gathering grounds, and the advisability of bringing a pure water supply from a distance?—I am not aware that there are any material differences of opinion. The supply derived from the gathering grounds would have been 45,000,000 gallons a-day, the consumption at that time being only 20,000,000 gallons a-day. But Mr. Bateman thinks that 200,000,000 gallons of fresh water daily may be advantageously employed in London for steam and other purposes, and I am not prepared to dispute that. I deem it a proper subject for careful and competent examination. Scientific men are clearly of opinion that supplies from the surface, washings of cultivated land, and hard water supplies are bad. A few years ago they were for bringing chalk water supplies, as being the most pure and free from animal and vegetable matter; but it is well known that every grain of chalk, which is called a degree of hardness, diminishes the solubility and the value of the water for food purposes, and for digestion, and for teas and all solutions. Experience goes to establish that the soft water is best, and that it is worth while, in order to supply the metropolis with it, to get it from gathering grounds at increased distances, if necessary, at increased cost. In that respect, the opinion laid down in our sanitary reports years ago has been greatly advanced.

6630. Then,

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6630. Then, with respect to sewage, has there not been a great change with regard to drainage with small four-inch pipes; has not that all exploded at the present time, and are we not reverting to the larger pipes?—I think, if you will inform yourself upon that point, it will be found, on an examination of towns and places which have been drained on that principle, that if there is any change at all it is to make them smaller rather than larger.

6631. I am alluding to the metropolis. You are now obliged to put larger drains to the houses than what, under the former system, you would have been permitted to do?—Where that is so it is in defiance of science and increasing good practice. Formerly they put a 16-inch brick drain for a single house; now a 16-inch pipe, properly laid, will carry away the drainage of 1,200 houses; in that way science has made progress. The engineers used, in making the junction of sewers, to enlarge them according to the sectional area. It is now found on inquiry, and by experience, that they may add very considerably to the number of junctions without increasing the sectional area of the channel joined.

6632. Without going into the new Poor Law, with which you have been acquainted from its commencement to the present time, is it not now being carried out under a different system altogether from that which was originally contemplated?—Certainly; in the metropolis it is being carried out on a bad system, on a system of attempting to treat all the classes in the same house. Under the commission of inquiry we stated that that mode of administering relief was impracticable, that it had been tried, and was a failure for good administration. After a quarter of a century of barbarous local maladministration, that error will have to be rectified, and the principle which we then laid down of treating the poor in separate houses, the sick in one house and the children in another, will have to be resorted to.

6633. May I not also say that the "barbarous" system laid down by the first Poor Law rules, that no relief should be given out of the house, was found to be a perfect failure, that it was never carried out in the metropolis, and is being further diverged from every day?—It was never carried out in the metropolis, for one great reason. It was extensively carried out by the owners of small tenements, small shopkeepers who distributed in large quantities and do now distribute out-door relief in moneys which pay their own rent, and out-door relief in money spent at their own shops.

6634. Was it not the first intention that there should be no out-door relief whatever?—Not absolutely and unqualifiedly; except in cases where it was absolutely humane to do so, as in the cases of poor persons living in one overcrowded room, for a whole family. There it was pronounced to be more humane and better to take the poor people and afflicted persons out of one common room where all the family lived and slept and died, and to put them in a well-appointed separate house, where they would have separate and appropriate care. That was a humane course, and to that you will have to revert.

6635. Mr. *Kekewich.*] You are well aware that it has been frequently suggested that the metropolis should form one great union for the purpose of Poor Law relief?—Yes.

6636. I do not ask whether you are favourable to that scheme or not, but do you think that such a consolidated board or body as you recommend could be made useful for the purpose of carrying such a system into operation?—Decidedly. I have stated that I am strongly of opinion that every advantage will result from unity of management. In Paris they have bureaux central d'admission. I do not say that that would be strictly applicable to London. All the hospital spaces and all the poor-house spaces are available for treating the different classes separately, and that must be done here if you will treat them well or humanely.

6637. Mr. *Mill.*] I believe you have given a statement of your views with reference to the improvement of Poor Law administration as applicable to the metropolis to the President of the Poor Law Board?—I have, especially as to the medical relief of the sick poor. (*The Witness delivered in the documents.*—Vide *Appendix.*)

Mr. John Savage, called in; and Examined.

Mr. *J. Savage.*

6638. Mr. *Mill.*] You are a Member of the Islington Vestry?—I am.

6639. And a representative in the Metropolitan Board of Works?—I am.

6640. How long have you filled those offices?—Since the passing of the Metropolis Local Management Act in 1855.

6641. Have you been particular in your attention to local business during all that time?—Yes; I have been constant in my attention, or nearly so.

6642. Are there any remarks you wish to submit to the Committee on the working of the present system, or any improvements that it may admit of?—Yes; I think there is one great improvement that might be made. Assuming that these vestries and district boards are continued, I think it would be a very great advantage in the larger ones. I will not say in those composed of so small a number as 36 or 48 members, or possibly of 60, but in all those beyond that number, if they had a permanent chairman. My experience, from that which I have seen, from a constant attendance at my own vestry, and occasional attendances at others, has confirmed me in my opinion that that would be a most desirable improvement.

6643. Be so good as to state the advantages that you would expect from it?—I think the inconveniences arising from the present system will perhaps to some extent point out the advantages that might accrue from an alteration. In my own vestry we have had a constant variation of chairmen. For the first three years after the Metropolitan Board and the local vestries were established, I had the honour of holding that position in my own vestry; but when I declined it through ill health, and, as a consequence, feeling it was a more arduous position than I could fill, it then became a sort of claim (if I may use the word) on the part of the churchwardens to take the chair. Now, however worthy these gentlemen may be, and very worthy men they are, it has led our vestry,

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vestry, in my opinion, into great irregularities, and some very unfortunate positions. Gentlemen selected for the position of churchwarden are not necessarily competent men to preside over the meetings of so large an assembly as 80, 90, or 100 persons (our gross number is 120, and about 70 or 80 attend); and therefore I have very frequently seen, when unfortunate circumstances have arisen, that the chairman has been quite unable to preserve order; in fact, we have sometimes broken up; our only resource being to adjourn the vestry in order to get rid of the confusion into which we have been thrown. I have regretted that circumstance constantly, believing that if we had a competent man at the head, these events would not occur. I believe such a person would be useful, not only as presiding over the deliberations of the meetings, but in other respects in an administrative capacity. I think we suffer very seriously from the present state of things. We suffer also in this way: Looking back to the past eight years, since 1858, we have had perhaps eight different gentlemen occupying the position of churchwardens and also of chairman; that position frequently challenged by others in order that a change might be made. We have had, I believe, 11 or 12 or 13 gentlemen presiding over our vestry during those seven or eight years, but nevertheless, when a new chairman has been obtained (if he be the churchwarden), it seems that at the end of his year of office he is expected to retire. That is practically the working of the system. Then we lose a good chairman and get some one else, who, it may be, is incompetent to fill the position. Hence we do not get that regularity in our proceedings which I not only think is desirable, but which I believe is attainable. No two gentlemen rule alike in the proceedings of the vestry; and that is not the worst, for some gentlemen do not rule consistently with themselves. When they do not feel altogether competent to the position (as I fear must be the case), they vary their decisions, perhaps in the course of a few minutes, and that promotes discord rather than good working. Hence the scenes to which I have slightly, and with pain, alluded. All that would be avoided if we had a permanent chairman.

6644. The duties of chairman of the vestry at present comprise nothing beyond presiding at the meetings?—As a rule nothing else is required of him. I was chairman of the Highways Committee (one of our heaviest committees), and I resigned that about the time I resigned the position of chairman of the vestry. I may observe that I had to be elected as a matter of form every Friday evening during the three years, but I was never opposed during the years 1856-57-58. Since then we have had constant contests for that position. I was frequently requested to contest it in 1863 and 1864.

6645. Does any duty devolve on the chairman as to the preparation of business for the vestry?—It has not of necessity been the case; but whilst I was chairman I was always in communication with the vestry clerk, and had very much to do with the business, consulting him prior to its being put in the paper. Still, no official duty of that kind devolves on the chairman.

6646. I understood you to say that you thought there might be with great advantage a permanent chairman, who might be made useful for administrative purposes, independently of presiding at the meetings. What administrative purposes had you in view?—I think if, as in the Metropolitan Board of Works, it were expected of him that he should attend the various committees and make himself thoroughly acquainted with the whole business, and also upon certain occasions put himself in communication with other vestries, or with the Government, or with the Metropolitan Board of Works, as might be required; I do not mean in the way of agitation, but to communicate with the Government, or the Board of Works, or with other vestries upon matters common to each and mutually interesting to us. I think in that way he might be made extremely useful as an officer of the vestry.

6647. A sort of head of the local administration?—As a sort of head of the local administration.

6648. In what manner would you have him appointed?—If I may be allowed to throw out a suggestion, I would have him appointed in the same way as the Chairman of the Metropolitan Board of Works, by the members themselves at a meeting duly convened for that purpose; and with regard to his continuance in that position, if the election were periodical, I would have him elected for not less than three years; a period less than that, I think, would be attended with many inconveniences which will readily suggest themselves to our minds. If the election were for a year it would come round too frequently. Speaking my own opinion, I would not have him elected even triennially, but as a permanent chairman, giving the same power to the boards or the vestries as is possessed by the Metropolitan Board of Works; the power of removal, but only to be exercised by two-thirds of those assembled. I think that would be sufficient to protect the chairman from anything like improper attacks made upon him, and from any attempts to remove him by surprise. It would also secure to the vestry that, if the chairman became inefficient, there would be no difficulty in removing him by the requisite majority, upon due notice being given. It would probably be rarely, if ever, required, but there the protection would be. We have that protection at the Metropolitan Board of Works; it is practically a dead letter with us, but there it is, and, if needs be, we could exercise the power.

6649. I believe the very able permanent chairman you have at the Boards of Works receives a salary?—He does.

6650. The other boards do not?—They do not.

6651. Should you recommend that the local permanent chairman should receive a salary also?—That is a matter to which I have given some consideration, and it does occur to me (without offering any dogmatical opinion about it) that if you called upon the chairman to perform the duties which I have suggested it would not be unreasonable that he should be remunerated, of course, upon a lower and more moderate scale than in the case of the Metropolitan Board of Works.

6652. Having regard to the administration of the metropolis under the direction of a certain number of select and paid permanent officers, you would probably see a considerable disadvantage in the administration being so minutely divided as it is at present; you would probably wish to give to each of the boards a larger area than they now have?—I have not given so much consideration

consideration to the subject as I might have done if I had intended to go fully into that question; but I think there is force in the way in which you put it.

6653. Are you acquainted with the plan that has been recently proposed for the division of the metropolis into municipalities, which would correspond nearly, but not exactly, with the Parliamentary districts?—I have heard of it.

6654. Should you think that the districts proposed in that plan, which in some cases coincide with the Parliamentary districts, while, in other cases the division is rather smaller, would be a good basis on which to ground the local administration of the metropolis?—I am not prepared to say; not having fully gone into it, I cannot give a decided opinion upon it.

6655. Have you, in your experience, been led to think that the divisions are at present too small or that no inconvenience arises from this smallness?—Many of them are very small; my attention has been drawn more directly to the larger ones, such as our own and some others, the City of London amongst them; we have, as you are aware, under the Metropolis Local Management Act seven very large districts; the City sends to the Metropolitan Board three members, and the other six districts two members each.

6656. The magnitude of these districts is not much less than in the case of the proposed plan; and in the case of the City of London it is not at all less?—It is less. The parish of Islington, I may mention, comprises half the borough of Finsbury.

6657. The difference between such a size as that of your district and the size proposed in the plan is only a difference of degree and detail?—That is all; I do think that the metropolis is split up into too many divisions; I am rather of that opinion, without having very deeply gone into the question, because, as I have said already, I have thought of the larger districts, and perhaps have not turned my attention so much as I might have done to the smaller ones; but it has always struck me that they might well be amalgamated and fused into larger districts.

6658. Mr. *Kekewich.*] You are quite satisfied that a permanent chairman would be very advantageous?—I feel satisfied of that, from my own experience.

6659. Do you say that you would have him elected for three years?—If he is elected for a limited period, it should certainly not be for less than three years. If he were elected for only a year, he would scarcely be installed in his chair before some members might say, "He is not quite the man; who shall we have next year?" And I think that if he were under that kind of threat of being removed he would not so fairly perform his duty.

6660. You think it is necessary that the chairman should have a continuous knowledge of the business going on?—Yes.

6661. In the same way as the chairman of the Board of Guardians?—Yes.

6662. And you probably think it would be a matter of economy that he should be paid?—Well, you are, perhaps, as well able to judge as I am. I think it would be.

6663. He would better understand the public accounts, and see that they were properly kept?—No doubt; and perhaps I may be allowed to add to that which I said before, that the balance of my opinion is in favour of appointing a permanent but removable chairman; but if for a limited period, not less than three years.

6664. How many districts return members to the Metropolitan Board of Works?—About 37. We have 45 members.

6665. And you think that some of those districts are too small?—I think they are; I think they might be fused into one another in some cases with public advantage.

6666. Probably the Parliamentary boroughs would be too large?—I am inclined to think they might be; Finsbury is very large, and the Tower Hamlets is an immense borough.

6667. Mr. *Mill.*] In the proposed plan, as in the case of the recent Reform Bill, for Parliamentary purposes it is proposed that the Tower Hamlets should be divided into two districts, and the parts proposed to be taken from Finsbury and Marylebone to go to form an intermediate district of Bloomsbury?—That would lighten the borough of Finsbury, which is in itself a very large borough.

6668. Your vestry sends two members to the Metropolitan Board?—Yes.

6669. You have been very regular in your attendance, I believe?—Tolerably constant.

6670. Has the same been the case with your colleague?—I think I may say that he has been almost as constant as myself, but his health has not been so good for several months lately, and his attendance less regular.

6671. Do you find that the attendance of the deputed members of vestries is tolerably assiduous at the Metropolitan Board?—Yes, I think it is. We average 35 or 36 out of the 45 members. I consider that the attendance is very good: the average is about four-fifths; and, considering that a few members come from great distances, and do not attend often, that makes the general attendance still more regular.

6672. Has the election of a temporary chairman of the vestry of Islington been the subject of dissensions in the vestry?—Yes; it has caused very many contests during the last five years to obtain the honour of the chair.

6673. You are aware that several of the vestries have come before this Committee by petition; I believe yours has not?—No; they have not taken any active part in the matter.

6674. Was that owing to the state of opinion in the vestry on the subject?—I can hardly tell. They repose a good deal of confidence upon most matters in their representatives. They do not make us delegates in our own work, but leave us free to study their interests. They do not meddle so much with outside matters that do not more immediately concern their own business as some vestries do.

6675. Mr. *Kekewich.*] How long have you been a member of the Metropolitan Board?—Ever since the commencement in 1855. I have been elected five times, the last time about a month since.

6676. Has your conduct at the Board ever been questioned by the vestry; have any questions arisen as to the expenditure of money?—I answered that partly by anticipation just now, that our vestry leaves us more free than some vestries do, but occasionally questions have arisen. I may mention one instance; the vestry strongly objected to the very large gratuities proposed to be given to the engineers some 12 or 18 months ago. That is about the strongest expression of

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opinion that my vestry have ever given upon matters connected with the Metropolitan Board. It coincided with mine, and therefore did not place me in any difficulty. They were opposed to that measure, thinking that it was a bad principle to begin to give handsome gratuities. They have never interfered obnoxiously or unpleasantly, but they are at all times anxious to have every information as to what we are doing, and I give it to them from time to time.

6677. You are not under the control of your constituents, but they require you to give an account when called upon of what you have done in the Metropolitan Board of Works?— That is it.

6678. Mr. Alderman *Lawrence.*] You are in favour of district Boards being constituted in some degree similar to the general Board, and that there should be a permanent chairman?—Yes; I think that would be a great advantage. That is my experience after 10 years.

6679. I think you stated that the attendance at the Metropolitan Board of Works is very good?—Yes.

6680. And by the members attending from the various districts, you think that the feelings of the metropolis are fairly represented?—I really do; I think they are fairly and well represented at the Board.

6681. Have you had a little difficulty at the Islington Board with respect to the Finsbury Park?—Yes; we are a little at loggerheads with the Metropolitan Board there.

6682. Do you consider that the Board, in carrying out the Finsbury Park, are really taking a liberal view, looking a-head some 30 or 40 years to what the number of inhabitants may be in that district, in curtailing the area of that Park?—Indeed, I do not think so; in fact, I am a little ashamed of them. I think they have not acted up either to the spirit or the letter of the Finsbury Park Act of 1837.

6683. You represent, I presume, not only the general view of the parish of Islington, but of the surrounding districts?—I believe I do. We have had public meetings, and there has been a very strong view expressed, and with perfect unanimity. Any persons who desired to speak were permitted to do so; they were open meetings. We are very greatly disappointed that the Metropolitan Board had determined to curtail the land by building; it has caused a great deal of dissatisfaction.

Thursday, 26th July 1866.

MEMBERS PRESENT:

Mr. Ayrton.
Mr. Kekewich.
Mr. Alderman Lawrence.
Mr. Locke.
Lord John Manners.
Mr. Mill.
Mr. Turner.

ACTON SMEE AYRTON, Esq., IN THE CHAIR.

Mr. WILLIAM EDWARD HICKSON, called in; and Examined.

Mr. *W. E. Hickson.*

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6684. Mr. *Mill.*] You have turned your attention a great deal to the subject of municipal administration generally, and to that of London particularly?—I have.

6685. You are a ratepayer of the City of London, and the owner of buildings in the City, are you not?—I am.

6686. And you have been officially connected with commissions of inquiry, and have made a report of the state of the manufacturing districts, which was printed by order of the House of Commons in 1840?—That was so.

6687. Are there any points in regard to the municipal administration of the metropolis on which you have any communication to make to the Committee?—I would take leave to observe that is is now 30 years ago, or rather more, since I first turned my attention to the subject. The first article of any importance that I wrote on municipal reform was in January 1836, in the "London and Westminster Review." That was a period when the question of municipal reform generally was before the country. The Municipal Reform Act had been passed in 1835, and it was then fully understood by all who took an interest in the question that Government and the public were quite of one mind, and that the whole question of municipal reform for the City of London, and the metropolis generally, would be immediately entertained. It is very sad to think that, although everybody was thus agreed, and in particular believed that what was considered the giant abuse of the time—the Corporation of London—would be immediately dealt with, a whole generation has passed away and no step of importance has been taken during the whole of this long period towards effecting the object. It is very sad to think that a very moderate reform, such as was certainly practicable at that time, would have resulted in an aggregate saving of that three millions and a half, which, by the evidence of Sir John Thwaites, is now being raised by taxation for the important improvements of the Thames Embankment and the new Mansion House-street. I trust the Committee will not separate without passing a strong opinion that now, at least, it is time that the subject should be fully grappled with, and dealt with as its importance deserves.

6688. In what way do you conceive these sums of money would have been saved?—I am referring to the actual saving that would have been effected by the consolidation of numerous divided jurisdictions, the abolition of useless posts, the reduction of salaries, and a greater economy of expenditure generally; especially in that consequent upon divided jurisdiction. In the matter of abuse, I do not wish to assume that in the City of London, or in any part of the metropolis, greater instances of personal corruption may be signalized than elsewhere; it is the numerous divided jurisdictions that are the principal source of abuse, especially in the City of London. It comes out there in the most striking light, because we have in the City infinitesimal divisions of a small area into no less than 112 parishes. I am not quite certain as to the precise number, because, since the inroads of the London, Chatham, and Dover Railway, some of them have been swallowed up, and I believe one or two of them were lost before; but there are still some 80 parochial districts in the City of London which divide the administration of our rates with other bodies. Three of these other bodies are the boards of guardians of the West London Union, the East London Union, and the City Union; and we have, besides supporting these different establishments, which all interfere with our rates and with our pockets, to support the heavy establishment expenses of the Corporation of London. The subject of the numerous offices and the scale of expenditure established by the City Corporation would be a large subject to go into, and perhaps I had better for a moment pass it by. But such is the principal source of the heavy burdens that are inflicted upon that section of the metropolis. I should wish to point out as a matter for the serious attention of the Committee, that the statement which is now before the public, the Committee having already partially reported on the evidence submitted to it, is apt to mislead, as to the extent of City local taxation. I have here Appendix, No. 6, to the First Report, submitted by this Committee to the House of Commons during the present Session, in which it is stated that the total amount of rates received by the City authorities, vestries, and district boards in the City of London, is 290,624 *l.*, and that the average rate in the pound on the county rate basis is 3 *s.* 6 *d.* Now 3 *s.* 6 *d.* does not appear to be a very striking average against some of the rates which are stated lower down,

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down, namely, 7*s.* 4*d.*, 4*s.* 8*d.*, 5*s.* 8*d.*, and so on. But as far as my experience goes, this is quite an inaccurate return, quite an inexact representation of the real state of the City burdens. In my own case, being rated in the City as an occupier, in consequence of holding property there, which is let out in chambers, it being more convenient to the parish to rate the owner in this case than the numerous tenants of the chambers, I happen personally to know what the rates are in the parish of St. Dunstan's, in which my property is situated. I hold a statement in my hand of the number of rates and taxes which I, as an individual occupier in the City, am now called upon to pay on premises there, and of the total amount, and the rate in the pound on the county basis. The rate in the pound on the county basis, corresponding with the new consolidated rate basis, here stated at 3*s.* 6*d.*, is, in my individual case, 7*s.*, the total rates being 8*s.* 4*d.* The rate on the old assessment to the poor rate is 8*s.* 6*d.*, and the whole of my rates upon the old assessment is 10*s.* in the pound, which is an amount approaching confiscation. I pay 10*s.* in the pound on the old assessment, on which I have been rated for 20 years past.

6689. Will you mention the items?—First there are the parochial and union rates, which consist, first, of two new church building rates, of 6*d.* each.

6690. *Chairman.*] Is that embraced in the two rates mentioned in the report to which you have referred?—It should be, but I suspect it is not, which is one reason why I state that the whole of this return of 290,000*l.* as the total of the rates is inaccurate.

6691. It is not described to be the total of the rates, is it?—It is the total amount of rates received by the City authorities, vestries, district boards, &c., in respect of the poor, county, police, and the several rates authorised to be levied under the Metropolis Local Management Act.

6692. Is the rate you have mentioned one of those rates?—It ought to be.

6693. But is it?—I imagine it is not, and that is my point; that this return does not show the total amount.

6694. But the question is, whether the return is accurate, in containing that which it professes to contain. There may be other rates not included in this return, but the account may nevertheless be perfectly accurate?—I cannot imagine any other return not properly included under one or other of those heads.

6695. Is the water rate there?—That I have not included, of course.

6696. The church rate is not included in rates of that description?—I should have supposed it was.

6697. The church rate is not levied by one of the vestries or district boards under the Metropolis Local Management Act, is it?—It is levied by some of our City authorities.

6698. Not under the Metropolis Local Management Act?—The return does not state that; it says the total amount of rates collected altogether.

6699. The statement of the account is "in respect of poor, county, police, and the several rates authorised to be levied under the Metropolis Local Management and City Acts." The church rate that you speak of is not one of those rates; it is an entirely separate rate, levied under a private Act of Parliament?— This is a question of construction of terms. All I say is that the general impression conveyed by that return is that the local burdens in the City are much lighter than they really are.

6700. You will see that one amount is thus described, "total amount of local taxation by the City authorities, vestries, and district boards, including the precepts of the Metropolitan Board;" then there is the total amount of poor rates, receipts for the year ending Lady-day; then there is a third amount, the total of these two, levied by the City authorities and vestries in respect of the poor, county, police, and the several rates authorised to be levied under the Metropolis Local Management Acts and City Acts; and if you look to the general title of the return you will see it is a return showing the total amount of taxation in the Metropolis under the provisions of the Metropolis Local Management Acts and City Acts, by the City authorities, vestries, district boards, and the Metropolitan Board of Works, on default of vestries and district boards, including the precepts of the Metropolitan Board of Works for ordinary expenses, main drainage purposes, also the sums raised for poor rates, including county and police; that is the whole of this account?—Of course I am quite ready to accept your explanation.

6701. You see it is the fact?—My impression is, and I think it is shared by the public generally, that according to this statement the local rates of the City of London are made to appear not so heavy as practical persons know them to be.

6702. I want to know whether the account is right, or whether you merely mean that there are other local rates levied in the metropolis which are not included in the account?—That is so; there are other local rates; so that this return does not represent the whole of the local burdens. It may be accurate, as far as it goes, and yet not represent the whole of the burdens of that section of the metropolis. Of course the value of a return of this kind depends upon its representing the whole of the local burdens.

6703. The value of the return consists in its representing accurately that which it professes to represent. Will you tell us what other rates and taxes are levied locally in the metropolis over and above those included in the return annexed to the report?—I have a statement here which will give the information you require.

[*The Witness handed in the following statement:—*]

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RATES and TAXES charged for the Year ending 30 June 1866, on a House situate in the Parish of St. Dunstan's, Fleet-street, tenanted as Chambers. The Landlord (W. E. Hickson, Esq.) rated as Occupier.

Number of distinct Rates.	Description of Rate, and how Levied.	£. s. d.	Amount. £. s. d.
	Parochial and Union Rates:		
1	Two new church building rates of 6 *d.* each, under 10 Geo. 4, c. 96, on old assessment of 100 *l.* at 1 *s.*		5 – –
2	Tithe half-yearly payment, 19 *s.* 4 *d.*, under Local Act passed in 1 Geo. 4		1 18 8
3	Poor's rates: one of 1 *s.* 4 *d.*, and one of 1 *s.* 6 *d.*, on new union assessment of 128 *l.* at 2 *s.* 10 *d.*		18 2 8
		£.	25 1 4
	City Corporation Rates:		
	On new assessment, by Commissioners of Sewers, of 120 *l.*:		
4	Two consolidated rates of 9 *d.* for paving, cleansing and lighting, at 1 *s.* 6 *d.*	9 – –	
5	Sewers rate, one of 3 *d.*	1 10 –	
6	Police rates, four of 2 *d.* = 8 *d.*	4 – –	
7	Ward rate, one of 1 *d.*	– 10 –	
8	Militia rate, charged as a landlord tax	– 15 –	
			15 15 –
	Metropolitan Board of Works:		
9	Main drainage rate, on 120 *l.*, at 3½ *d.*		1 15 –
	TOTAL of Local Rates	£.	42 11 4
	Commissioners of Taxes:		
10	House tax, on gross rental assessment of 134 *l.*, at 9 *d.*		5 – 6
11	Property tax, at 4 *d.* on ditto		2 4 8
	TOTAL of Rates and Taxes	£.	49 16 6

Local rates, 8 *s.* 6 *d.*; Government rates, 1 *s.* 6 *d.* = 10 *s.* in the £. on old assessment of 100 *l.*
On consolidated rate assessment of 120 *l.*; local rates 7 *s.*; total rates 8 *s.* 4 *d.*
The above, exclusive of water rate, 6 *l.*; gas, at 4 *s.* 6 *d.* per 1,000 ft., 7 *l.* 14 *s.* 10 *d.*

6704. Those are burdens on real property generally?—The collectors bring round the amount of their claims, and I have to pay cheques out of the rents that I receive on those premises, or such claims amounting to 49 *l.* 16 *s.* 6 *d.*, which, to the end of June 1866, is 10 *s.* in the pound on the assessment on which I have been paying for 20 years past.

6705. Mr. Alderman *Lawrence.*] You have not mentioned the land tax?—There are no land taxes. There are here 11 different rates, and almost as many different authorities, not consulting together, as to how much the property will bear; but all claiming, some 1 *d.*, some 2 *d.*, some 4 *d.*, some 1 *s.* 6 *d.*, and so on, until the aggregate amounts to what I have stated.

6706. Upon how much rental?—On the assessment of 100 *l.*, on which I have been paying for the last 20 years.

6707. *Chairman.*] What is the real rental?—The real rental is difficult to ascertain, because the house is let out in chambers, and I pay whether the chambers are occupied or not.

6708. It is a compounded assessment?—Yes; the rack-rent is estimated by the house tax commissioners and property tax commissioners, as 134 *l.*

6709. Mr. *Mill.*] You include the whole direct taxation of the country, so far as it falls on real property?—The whole of what is called direct taxation (which I think a misnomer) comes, particularly in towns, upon house rent, and this burden is now getting to such an extent as to approach confiscation, and it checks and impedes most seriously the progress of building improvements in regard to those dwellings best adapted for the middle and working classes.

6710. *Chairman.*] With regard to those different rates, you will observe that some of them are under special local Acts of Parliament; the tithe, for instance, and the church rate?—The tithe is under the 1 Geo. 4.

6711. That is a special arrangement for the City of London, I think; it is a settlement of previous arrangements that used to exist between the clergy and the inhabitants?—I cannot say how

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how far it is peculiar. I have been accustomed to pay tithes in the country.

6712. Not tithes on a house ordinarily; what is called tithe is a special arrangement under a particular Act of Parliament, is it not?—I cannot speak as to the nature of the arrangement. I know I pay in the country on premises I occupy, which include land.

6713. The church rate is a special rate for building and rebuilding a church, under Act of Parliament, is it not?—Yes; there used to be old church rates and new church rates.

6714. With regard to poor rate, you will observe that the account is an average of the poor rate of the whole of the City of London. You are probably aware that the poor rate in the City is extremely unequal in particular parishes?—I have no doubt it is so.

6715. In your case it would seem to be much higher than the average amount appended to the report?—Yes; I see that the average is 1*s.* 8*d.*

6716. What is the amount in your parish?—Two shillings and tenpence, but it is practically more than that, because the assessments to the poor rate have been recently raised. We were told, and we hoped that when the assessments were raised (the rateable value generally throughout the district) the rate in the pound would diminish; instead of which, it appears that the more money there is collected the more money is expended.

6717. The new Act only equalizes the assessment over the union; the City of London being in three unions, there is still an unequal charge for the poor within the City, though not so unequal as before?—Yes.

6718. Would not the circumstances I have referred to reconcile the discrepancy between your particular schedule and the general account that has been put in?—I do not know that it would altogether, but I am satisfied that the general impression conveyed by the return will be an inaccurate one; that it under-estimates the extent of the City burdens very seriously. I think I may say, from my acquaintance with other parts of the City of London, which has been very extensive, that the average rating is very much like mine in the parish of St. Dunstan's, not, however, with regard to the poor's rate. We are not over-pauperised in St. Dunstan's; we are over-churched, others are less-churched and over-pauperised. But I think, as a general rule, the local rates will be found to be fully 6*s.* 8*d.* in the pound throughout the City of London.

6719. That is, adding on the other local charges?—Yes; I think that is about the proportion. Taking the whole amount that is now levied upon house rent the matter is really becoming very serious, and a very sore feeling is prevailing throughout the metropolis at this time, when it is seen that the assessment is generally raised without any corresponding attempt being made to reduce the scale of expenditure.

6720. Mr. *Mill.*] Have you any suggestions to make with regard to the basis of the municipal taxation?—I have a statement here, which I have drawn up to give a short and comprehensive digest of my views on this subject [*the Witness handed in the following Paper*]:

"Statement of the Objects and Principles of Municipal Reform.

"1. *Proposed General Enactment.*

"From the experience that has now been acquired of local government, since the passing of the "Municipal Reform Act" of 1835, it appears desirable that, prior to any new organisation of the metropolis for municipal objects, the Legislature should be asked to sanction a general amendment Act, for the whole country, of certain parts of the existing system of local government.

"A change is required in the incidence of what is called direct taxation, which, in towns, is made to fall too exclusively upon house rent.

"In some parts of the metropolis, the number and amount of separate taxes charged upon the assessed rateable value of a house is such as to approach a confiscation of the property, and most seriously to check and impede the progress of improvement in the construction of dwellings for the middle and working classes. But this evil is not peculiar to London; it extends to all towns, and arises out of the general exemption from taxation of stock in trade, the exceptions being only such articles as malt, spirits, and coals, and articles of foreign produce subject to import duties.

"Houses, however, should be viewed as the stock in trade of building owners, who should not be made to contribute more heavily to the common burden than the dealers in other products of human industry. Indeed, in some cases, as in the instance of a police rate, the charge on a building owner should be less than on other dealers, for it is obviously not a house that requires police protection (the walls not being subject to be stolen), so much as the contents of a house, in plate, jewellery, furniture, or valuable merchandise.

"The time has arrived to impose some reasonable limit to this power exercised by the State, and by innumerable local authorities, of taxing house-rent; and a clause is therefore called for, in some general enactment, to the effect that, when the aggregate of rates and taxes charged upon a house assessment exceed say 20 per cent. of the net rateable value, the owner or occupier shall be entitled, upon each tax, to claim a corresponding abatement.

"To make up the difference, the returns now collected for the property tax should be made to include as property all articles of consumption not taxed in some other shape, of which the commercial value can be approximately ascertained, a per-centage of such increased property tax to be available for State purposes, and the remainder for local purposes.

"The case of coals may illustrate the working of such a principle.

"The present custom of taxing coals only in such places as London and Brighton, where they are dearest, from the expense of carriage, is obviously indefensible; but a small tax on coals, made universal, would be a very proper tax, and, if collected at the pit's mouth, where coals are cheapest, would not be felt by the consumer.

"The returns of the Mining Record Office show that the consumption of coals for the year 1863 was 86,293,215 tons. A duty of only 1*d.* per ton upon this quantity would produce upwards of 350,000*l.*, or one-sixth more than the amount now raised by the duty of 1*s.* 1*d.* paid by the metropolis.

metropolis. A duty of 3*d.*, collected at the pit's mouth, would produce, for general purposes, or for the maintenance of the highways of the United Kingdom, an annual revenue of a million sterling.

"Another change, for which the provisions of a general amendment Act are required, is in the present state of municipal suffrage. In all municipal elections, where the actual occupier has only the temporary interest in the property rated of a tenant at will, the owner as well as the occupier should be represented.

"The necessity for such a rule arises out of the fact, that the interests of a temporary occupation, and a permanent holding, are not only not identical, but are often adverse. It is, for example, the interest of a tenant at will to throw burdens upon his successors, from which he escapes himself by giving up possession; and this has led, in many corporations, to a disastrous sacrifice of trust property from the postponement of rates.

"In London, a very large proportion of third and fourth class houses are held by tenants at will, and the constitution of the present Metropolitan Board of Works is, therefore, extremely faulty in this respect; the owners of such houses, who may be supposed to understand more of such matters as drainage than their tenants, having no voice in the appointment of the Board.

"A further principle that should be recognised by a general enactment is, that non-residence should not be a disqualification for voting at municipal elections, where the owner or occupier is able by personal attendance in the day time, or by agency, to discharge all legal obligations connected with the property for which he is assessed.

"In the City of London, at the present time, the actual occupiers, those who sleep on the premises rated, are almost exclusively confined to housekeepers and porters. The real residence of a city merchant is often at Brighton, or Hastings; but, from facilities of railway communication, he finds no difficulty in entering an appearance on Change whenever his presence there is needed.

"The restriction of municipal voting to occupiers, and the disqualification for non-residence, leave a large extent of property wholly unrepresented; for, on every change of tenancy, the new occupier even has no vote until he has been a resident from one year to three years, and has paid rates due six months prior to an election."

"2. *Special Enactment for the Metropolis.*

"The primary object of a special municipal Act for the metropolis is, the improvement of its local government by placing it under a system which should combine the advantages of local vigilance with those of unity of administration.

"Such an Act should provide, first, for the abolition of all conflicting jurisdictions, and for the consolidation of parishes and wards, where inconveniently small, into larger municipal districts; equalised, as far as may be practicable, throughout the metropolis.

"Second, for the election by the municipal district boards of a Central Metropolitan Board, to which should be given the power of ratifying the Acts of a district board when consistent with the interest of the whole metropolitan community, and of annulling them when otherwise, and generally of legislating for all bye-laws required by the metropolis not involving national questions.

"The Central Metropolitan Board should be empowered to take under its direction the main thoroughfares of the metropolis, as well as its main drainage, on the same principle that a railway company is entrusted with the management of its whole line, however numerous may be the parishes it passes through. It should share in the direction of the police, the present Commissioner becoming a member of the Board *ex officio;* and generally all functions now, in London, confided to a multitude of independent bodies, including relief of the poor, maintenance of highways, administration of public hospitals and prisons, public schools, care of public buildings, conservancy of the river, licensing of public-houses and places of amusement, the supply of water and gas, and abolition of nuisances, should be confided to a body thus constituted, as in capitals where local government has been placed upon an efficient footing."

3. *Modus Operandi.*

"In carrying out such a scheme, or indeed of any large measure of municipal reform, it would of course be an anomaly to retain, as an obstructive element, the Corporation of London in its present position. But in dealing with City rights the proper course seems to be not to abolish them, but simply to absorb them in metropolitan rights. The City of London proper was originally confined to a much smaller area than at present. It was enlarged by taking in the ward of Bishopgate Without, and other portions of the old suburbs; just as Paris, which originally only covered a small island in the Seine, still called the *Cité,* was enlarged from time to time, till it has extended up to the present fortifications. Let us, in the case of the City of London, enlarge it again. On a given day let it be declared that all ancient charters and statutes conferring powers or privileges on the Lord Mayor, aldermen, and common council of the City of London, shall in future apply to the Lord Mayor, aldermen, and common council of the metropolis of London; defined as embracing the area now included within the circuit of the metropolitan police. Let the "common council" mean the local representatives of each metropolitan municipal district. Let a ward mean an area with a population approximating to 50,000, which would allow of 50 wards for the whole metropolis, estimating the population at 3,000,000. Let the chairman of each metropolitan ward be the alderman for that district, and its *ex officio* representative in the Central Metropolitan Board, which might be designated, if preferred, by the ancient title of the present Court of Aldermen; and let the Lord Mayor be an officer elected by such court, giving the Crown a veto on the appointment, should it be one viewed with jealousy from the supposed influence it would command.

"Upon the details of such a scheme it is of course unnecessary to enter, the first sensible step being only to settle the general outline of procedure. The next is to consider how far the principles we aim at carrying out must be modified by the force of circumstances."

6721. *Chairman.*] Will you explain what you mean by rebating taxation when it has reached 20 per cent. upon the property?—My idea is, that there should be a positive limit imposed; that the aggregate of rate on house-rent should not exceed 20 per cent. upon the net rateable value, and therefore, when the occupier of a building

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ing is able to show to any properly-authorised officer that the aggregate of his rates exceeds 20 per cent. he should be entitled to a rebatement or discount upon each particular tax, to reduce the whole amount to the proper standard.

6722. Where would he get it made up from; who would have to make it good?—There would be no difficulty, of course, if we had a uniform system of local administration; there is a difficulty under the existing system when we have so many divided jurisdictions.

6723. Supposing the poor rate, in the union in which your property is situated, exceeded 20 per cent., which it does in some unions in the metropolis, what would you do?—I should make an allowance.

6724. From whom is the allowance to be made?—The collector would claim so much less, the tenant having shown a certified statement to the effect that he was entitled to such a rebatement.

6725. As all the people in the union would be paying 20 per cent., who is to make up the amount?—Of course that is a matter of detail; there are various modes of effecting it.

6726. Is it not a matter of substance?—If you would authorise me to do so, I would draw up a scheme which might be carried out to the satisfaction of all parties; but, in our present complicated system, it would be difficult off hand, to point out the precise arrangement. I am supposing that, coincident with such a measure as this, we simplify our administration so as to get over difficulties.

6727. I am asking how you would carry out your own proposition; you suggest that if the tax demanded exceeded 20 per cent. it should be rebated; supposing the charge for the poor in the union to exceed 20 per cent., how would you get the difference made up: if you stopped at 20 per cent. who would pay the difference?—That, of course, must be by an arrangement with the Legislature.

6728. I am asking what your proposition is?—The kind of arrangement I should propose would be, first of all, to have an efficient municipal district board, which should revise generally all the taxes levied upon house rent in that district, and should, before the tax was collected, determine whether the property could bear that amount of taxation or not.

6729. Who would pay the rest?—When there was a deficiency, as in the case of the poor rate, the rest of the money would have to be made up by the public revenue.

6730. I am asking what your proposition is. You mean, that when the rates exceeded 20 per cent. they should be made up out of the Imperial Exchequer?—Out of the Imperial Exchequer. I referred in the statement I read to the coal duty as one mode in which the difference might be made up, reducing the charges upon house rent, and taking a portion of the difference where the difference has to be made up out of the aggregate proceeds of the coal duty.

6731. Out of some branch of the national revenue to be appropriated for the purpose?—Yes.

6732. You have also mentioned that you think the local rate should not be confined to houses, but that it should be extended to stock-in-trade; have you considered how far that could be carried out in the present circumstances of trade, where the stock-in-trade is not the substantial property of the person, but only property in his hands for the purposes of trade, he very often owing the value of it to the person from whom he has obtained it; not, in fact, rating his own capital, but rating property that is under his manipulation for the purposes of profit?—I imagine there would be no difficulty in carrying that out, on the same principle as the property tax and the income tax are now carried out. The tenant-at-will charges the landlord, or perhaps it might be a charge upon the ground landlord, for the portion chargeable on the ground rent; it passes from one to the other.

6733. Have you at all considered the immense inequality there would be in the incidents of such a tax if it were now raised upon stock-in-trade merely?—I do not myself perceive the inequality. It would of course be a charge upon the stock, which would raise the price to the consumer; the same kind of charge that there is now in the case of malt and spirits.

6734. Take the case of a publican, whose stock is replenished perhaps every fortnight, and whose stock, therefore, bears a very small relation to his business and his profits; and the case of a silversmith, who may have a very large and valuable stock on his premises and not turn it over twice in the year. In the one case, therefore, the tax upon stock would be 20 times the tax in the other, and the profits of each person might be exactly the same in his business?—I am for giving up the principle of taxing profits altogether. I think the thing to be taxed is merely property.

6735. Have you considered the inequality that would result from the proposal?—Of course there would be inequality in the amount, but I do not think there need be inequality of burdens as far as the capability of bearing burdens is concerned. That is the result of the thought I have given to the subject. I take the broad fact that the principle is now partially carried out. It is not a new thing. In the case of import duties, in the case of sugar, tea, and other things, there is this principle of a duty levied upon stock-in-trade. In the case of malt it is so, and in the case of coals it is so.

6736. Do not you observe, in the taxation of coal that you have proposed, the article is only taxed once, whereas, if there were a half yearly rate upon stock-in-trade, unless the property was sold within the half year, you would be going on upon the same stock-in-trade, levying a rate every half year, so that if a man had a service of plate to sell, and did not sell it in six months, you would levy a shilling one half year, and a shilling another half year, and so, at last, you might levy the whole of the value of the thing?—There would be force in that objection if it applied.

6737. Does it not strike you as an inequality?—That would be an inequality, but there is no necessity that we should carry out the principle by half-yearly assessments; and we might confine it to such articles of trade, if you please, as were not passed from hand to hand several times a year.

6738. Will it not be necessary in your view, and according to the analogy of the tax on coal, instead of taxing stock-in-trade, that you should tax upon an uniform basis all articles sold by the trader?—That would be perhaps one mode of carrying it out.

6739. Would it not be the only just mode of taxing commodities, that you should tax one article once for all upon the sale of it?—I do not

not know that it would be the only just mode; I would merely remind the Committee, that the principle is not by any means a new one, but is extensively carried out throughout the Continent. It is the custom throughout the Continent to tax manufactured articles, and it is done not so as to be felt in the way of inequality of burdens.

6740. Are you aware that there is any tax upon articles that are sold and held as stock-in-trade, except in the nature of *octroi*, which is a tax upon the commodity once for all, or a tax upon furniture?—That is one mode of collecting a duty of this kind.

6741. Is not the other tax a tax upon furniture, which is a very different thing, as an indirect tax upon the owner of it, being his property in that case?—There are generally what are called *octroi* duties, which, here, would amount to something considerable. In Paris they amount to 3,000,000 a year.

6742. Is there any tax upon property, except in the nature of accumulated property, such as furniture, or other matters?—There is a tax upon furniture.

6743. Is not that on a totally different basis, a tax on accumulated property?—Furniture abroad is taxed separately from the *octroi* duties, because it is considered to consist of articles produced within the area of a municipal district. All other articles are taxed as a portion of the *octroi* duties on entering a town.

6744. Are you aware, in consequence of difficulties and change of circumstances, difficulties that have beset the enforcement of the law, we have suspended the law for taxing stocks?—I am aware it is so; I think the subject ought to be reconsidered.

6745. Can you suggest any scheme?—Let me add that the general result has been not altogether to suspend the taxing of stock-in-trade, but to throw this inequality that I am speaking of on the manufacturers of the particular commodity or stock-in-trade called houses.

6746. You are aware that the only attempt that has been made to get over the difficulty has been a tax upon insurances, and that again has been abandoned, because it has been thought to be equally unjust and impracticable. Can you suggest any means by which stocks can be equitably and justly taxed; can you suggest any system of taxation?—I am not prepared to go into the details of any improved system. Upon the subject of the insurance of furniture, I think a tax pointed specially at insurance is not a tax upon property, but upon prudence.

6747. Are you aware that it was levied as the best mode that could be devised of taxing stocks?—I am not.

6748. That the insurance duty was the best means the Legislature could devise for levying a duty upon material personal property, or, to use the more familiar phrase, upon stock?—I am not aware that it is so, or that it was so considered.

6749. Can you suggest any mode of levying a tax upon personal material, visible personal property, equitably, either as a local matter, or as a general matter of taxation?—I am not, as I said, while referring to sound principles, prepared at the moment to show the best mode of applying them in all cases. With regard to furniture, we will take that point as one with which we are familiar, by seeing its working upon the Continent; on this head there is no difficulty and a charge for furniture is one element of taxation which might be carried out there with facility. Every year a statement might be required from the occupier of every house as to what the value of the furniture is; let him give his own assessment of it if he pleases; if that be objected to, and if the authorities think there has been any fraud, let it be valued by competent persons.

6750. Mr. *Mill.*] Are you aware that the tax on furniture in France is, in some cases, if not in all, virtually a sort of income tax, not being taken on a valuation of the furniture, but on an estimate made by the revenue authorities of what sort of furniture may be expected to belong to a person who lives in such a house?—I am not able to speak of furniture estimates as so formed, and should doubt its being a universal fact.

6751. I am not aware that it is universal, but no doubt it must have been resorted to on account of the inconvenience, difficulty, expense, and liability to evasion which attended a valuation of the furniture?—Just so, when the valuation attempted had been unnecessarily minute.

6752. *Chairman.*] In that case the tax is an indirect mode of measuring the means of the occupant to pay taxes, by having valuable furniture, and living in a more or less sumptuous manner. That is a very different thing from levying a tax upon stocks, and I should like if you can suggest to the Committee any means by which your proposal can be carried out of levying a tax upon stocks as well as upon houses?—I can only repeat that I am not prepared to show the working of such a system carried out in all its branches, in detail, but I must contend that there need be no very serious difficulty about it, from the fact that there are certain items, such as spirits, malt, and coal, on which duties are now levied, and we only want to extend the area of these, so as to include a greater number of the products of industry.

6753. Lord *John Manners.*] You have referred in your evidence to the system of *octroi* in Paris and elsewhere. Is the Committee to understand that you would view with favour some application of a system of that kind as an indirect mode of arriving at a tax on stock-in-trade?—The only objection to the *octroi* system that I know of is the divisional arrangements, the boundary lines it involves. The rule is laid down that, within a certain line, you are to pay certain duties, and without that line you are to escape taxation upon the same commodities. That leads to many inconveniences, and to some serious amount of demoralization by smuggling. It creates a class of illicit traders, by whom subterranean passages have sometimes been bored underneath the line of demarcation, and these people have smuggled in their goods to the injury of the fair trader. That is an evil, and a serious objection to the *octroi* system on the Continent. I do not know of any other. In principle it is the equitable thing that equally upon all articles consumed you should charge all the burdens of taxation.

6754. Let us take the instance of the metropolis, with which we are more especially concerned in this Committee. You have already referred to the coal duty and the wine duty, which form subjects of taxation in the metropolis. The coal duty is levied on coal brought into the metropolis, whether by water or by land. Would you apply a similar system to other consumable articles?—I have already stated (I intended to convey that impression) that I should abolish the existing coal duties and levy a small duty in place

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place of them at the pit's mouth, and so get rid of that particular inconvenience which attends the application of anything like an *octroi* system.

6755. I understand you, then, to be unfavourable to anything like an *octroi* system?—I am unfavourable to that mode of levying duties which is called the *octroi* system involving *octroi* barriers, or Custom-house boundary lines. I am unfavourable to that, but not to the principle that a duty should be levied upon commodities, upon the products of industry.

6756. Do you mean that the product of a coal duty, levied at the pit's mouth, is to be applied for the purposes of local taxation in the metropolis?—A portion of it. I propose that a coal duty of 3*d.* should be levied for general purposes, which would produce 1,000,000*l.* sterling, of which I would take a certain portion as compensation for the duties now collected in the metropolis of 1*s.* 1*d.*

6757. Do we understand you to extend that system to all other consumable articles?—As far as may be practicable. There are some articles that it would be desirable to exempt; but there are many articles besides coal on which a duty could be conveniently levied, and on which it would be desirable to do so as a portion of the general taxation.

6758. How do you apply that to the object which brought you here; namely, some redistribution of the incidence of local taxation. If you levy a tax upon grain in Norfolk or Linconshire, how do you propose to apply a portion of that tax to the wants of London?—I do not say I should apply a portion of every tax to the wants of London; undoubtedly I have not stated that, I think. At this time we are taxing coals in London at the rate of 1*s.* 1*d.* per ton; if we substitute for that tax a tax of 3*d.* at the pit's mouth, we relieve the coalowners supplying the metropolis of 10*d.* out of the present charge of 1*s.* 1*d.*; and it is but reasonable, therefore, that we should take back the 300,000*l.* given up from the proceeds of the new tax to be collected at the pit's mouth in the place of the existing burden.

6759. The Committee does not now understand that you propose practically anything but a re-arrangement of the existing coal duties?—That is the most striking illustration I could give of a more equitable system, without having come prepared to go into the whole subject of a revision of taxation.

6760. *Chairman.*] Have you considered, in making this proposal, what the incidence of the taxation would be at the pit's mouth on coal; to what extent it would be a tax upon the very sources of the industry of the country generally; and do you adopt the principle that it is desirable to tax industry at its source?—I do not tax industry at its source, but the products of industry.

6761. Considering that coal is one of the materials used in the manufacture of iron, do you think it is desirable to tax raw materials necessary for industry?—I think generally all products of human industry are the proper subjects of taxation. I set aside everything else. As a Revenue officer, I should act upon the same principle as a general invading an enemy's country. He enters into the territory, and does not ask what is the income of the inhabitants of the district that he is overrunning; he does not trouble himself to know what profits they make every year; he looks and sees what property there is, that he may avail himself of for the use of his army. If he sees a house, he says, "Occupy it." If a hay stack, "Seize it." If a flock of sheep, he says, "Drive it off to camp." That is the principle upon which the Chancellor of the Exchequer should proceed. His business should be to look about him and see what the property of the country is that actually exists, not what the income is, or what the income may be. He can, in fact, only take that which is *in esse*, not that which is *in posse*; he has nothing therefore to do with that which is *in posse*.

6762. You think we have not acted wisely in taking off taxation from the springs of industry and bringing it as nearly as possible to the final consumption of the commodities, but that it would be desirable to tax the earliest source of industry in the shape of coal. That is your view; I only want the Committee to apprehend it clearly?—I do not like to see it so put as if I wished to tax industry. I do not certainly wish to tax industry, but the products of industry. A tax upon industry would be this: a license or tax for permitting men to work. Such taxes as trades' unions are levying upon their fellow workers very often: "You shall not go to work for so-and-so without paying a certain subscription. That is a tax upon industry. When a man has dug a certain article out of a pit, such as coal, or has produced a chair or a table, which has a *bonâ fide* existence, I claim that as capital. I understand by capital the products of human industry. Capital alone, not income, not moonshine, is the proper subject of taxation.

6763. Do you call income moonshine?—Very often; we have had many instances of it this year. By income I understand nothing more than a certain command over the products of human industry. You get at a man's income if he has any such command, by taxing the commodities he commands.

6764. *Chairman.*] You concur in the theory of Arthur Young, that if everything is taxed that a man can possibly get you will tax his income?—Yes.

6765. Do you concur also in the modern theory that that mode of taxation is extremely expensive and inconvenient, and therefore it is better to limit it to a few articles, as near as possible to the final consumption?—I think the number may be largely increased without great expense or other inconvenience. In the case that I have heard objected, of a man who has a large income and wastes it, spends it all in champagne, and hunters, and racehorses, you get at him at once, by taxing his champagne and taxing his hunters.

6766. That is Mr. Pitt's theory of taxation?—I do not want a spendthrift's income. If he has hunters, I tax them, or take them.

6767. That was Mr. Pitt's theory of taxation; if you tax every imaginable source of income and expenditure, you tax a man about as much as you can?—I do not say every source of income. I would abolish all taxes on income as I would abolish all taxes on any kind of abstraction. The free space of astronomical mathematicians, or such abstractions as faith, hope, and charity.

6768. Mr. *Mill.*] In the meantime you think it is not fair that the burden of local taxation should be thrown in such a degree as it is upon one kind of property only; you would limit the demand on that kind of property and make up the amount from other sources, such as might be found to be most advisable?—Yes.

6769. *Chairman.*]

6769. *Chairman.*] Have you considered this proposition, that if the tax be universal upon the houses in this country, and that is transferred from the owner of the house to the occupier, then, in fact, the occupier must pay the tax and not the owner. The burden of the tax falls upon the occupier not upon the owner, because the person who is to use the thing has no choice but to pay the tax?—He has a choice, because he may put up with more or less house accommodation according to his means. He may take a small house instead of a large one.

6770. As far as he does use a house he must pay for it?—Yes; that is the result. The poor man puts up with a very inconvenient lodging, because the burden falling upon building owners is such that they cannot, with a view to profit, erect suitable dwellings. In my own case in the particular property I have referred to, I originally took it partly with the idea of erecting improved lodging houses, but I found on making the calculation that it would not do to erect buildings of that class, because the burdens I was called upon to pay to the local authorities and the State as pressing upon the house rent were such that no poor person could pay the rent I must receive.

6771. Now, you put it upon the basis that the accumulating so large a charge upon houses tends to prevent people having a sufficient amount of house room by the great amount they have to pay for it?—Yes; and the case is very striking if put in this manner. Suppose I have 2,000 *l.* in the funds, producing 60 *l.* per annum, the charge upon that by the present income tax is only 1 *l.* a year. Now, if I take that 2,000 *l.* out of the funds, and invest it in building a house which shall cost 2,000 *l.*, I have then, supposing it to be assessed at the rateable value of 100 *l.* per annum, to find some person, if it be in the parish of St. Dunstan's, who will be able to meet a charge of nearly 50 *l.* per annum of taxation on that property before he can pay me a single farthing as interest of capital in the shape of rent.

6772–3. Are you aware that house property generally is supposed to command a rent of about six per cent. upon the capital expended upon it, in the metropolis?—I have had some experience in building, and I have not found it command six per cent. generally. It has in some cases. There are some places near the centre of the City of London where that is realised; but it is not the profit on houses, but the increased value of the site, from being the centre of a commercial district that has produced the larger per centage. As far as mere expenditure on brick and mortar is concerned in districts where there is no advantage in site, certainly my experience is that house property is not found to pay six per cent. Not but that there are instances in which you may make an advantageous purchase. As a general rule, the existing system of local taxation does destroy most seriously the legitimate profit of building owners. I may mention a case which occurs to me to show how it acts upon the improvement of houses. I had a house in the parish of St. Pancras fallen into a ruinous state, and I had to undertake to paint and paper it from top to bottom. In consequence of its being thoroughly repaired I thought myself justified in asking 5 *l.* a year more rent; and when a house is newly put in repair you generally can get from an annual tenant, 5 *l.*, or perhaps 10 *l.* a-year more than you could after it had stood without fresh repairs for five or 10 years. Well, I did so in the case of this house, and the very next year, after the rent was raised 5 *l.*, in consideration of my outlay my assessment was raised, and the whole of my profit was taken away by the result of this parochial assessment. That is the way it operates. You are checked from making improvements. In fact, the mere repair of a building is a serious thing to undertake, because you know that you will be re-assessed immediately; and that your assessment raised all your taxes are raised.

6774–5. Do you think it may have the effect of keeping property in a poor condition, rather than having it improved lest it should be more highly assessed?—That is so; a number of philanthropists had a meeting at the Society of Arts, at John-street, Adelphi, some months ago, to discuss this question of improving lodging houses for the working classes of London. It was pointed out then how great an obstacle the existing system of local taxation, as pressing upon house rent, was to the object they had in view. It was shown clearly that building owners understood the matter well enough, they were as ready to build for poor people as for the rich, if they could secure adequate rents; but adequate rents from the poor cannot be secured, and will never be secured until some limit is put to this indefinite taxation of the one product of industry called houses.

6776. You think that putting a general charge upon one particular item of expenditure, tends unduly to cramp that expenditure to the injury of the public, instead of putting the charge upon one or two other items of expenditure, so that they shall all bear an equal proportion?—That is my view.

6777. You mentioned that non-residents were disqualified from voting, though they were occupants; can you point out to me under what law that is so in regard to metropolitan voting for any local purpose?—On a change of tenancy, the ratepayer has no vote under the Metropolitan Act of 1855 until he has been an occupier for a certain time.

6778. The occupancy gives him a right to do that without reference to residence?—He must I think, have resided on the premises for 12 months.

6779. Is it not the case that he must have occupied premises, not that he must have resided upon them for 12 months; are you not confounding the Parliamentary with the municipal qualification?—I am not clear whether it has been ruled that occupancy does not necessarily include residence; however, with regard to the City of London, it has been decided over and over again, that a man must reside on his premises; that he must have slept on the premises at least once in the year.

6780. Your evidence only applies to the Parliamentary franchise, not to any right to vote for any municipal purposes in London?—Not altogether; a three years' residence was an express provision in the Municipal Reform Act of 1835.

6781. That does not extend to any part of the Metropolis?—If the qualification of residence be definitely abolished for municipal voting for any part of London, there must have been some recent Act that I am not acquainted with.

6782. Mr. Alderman *Lawrence.*] Some years ago there was an Act passed by which the Municipal Register is made up on the 1st November of every year,

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year, consisting of those who are on the Parliamentary register, and free of the City?—My observation applied generally. I was speaking of a General Amendment Act for the whole country. I think I have correctly stated that there has been no change with regard to suffrage in the municipal corporations generally in the United Kingdom. The three years' residence is still required; for which there was a special clause in the original Act.

6783. Having had experience of property in different parts, is it your opinion that the whole of the property in the metropolis is rising in value to a large amount, or is that confined to certain parts?—I should think it is confined chiefly to certain parts. There probably has been some rise with the increased population, but it has been very much confined to the centres of business; within 100 yards of the Royal Exchange the rise is out of all proportion compared with many parts of the City.

6784. *Chairman.*] There has been a rise in the centres of fashion also?—Yes.

6785. Mr. *Mill.*] Are there any parts of London where the value has actually fallen?—I should think there are many. In my own case, in St. Dunstan's, there certainly has been no rise in the value during the 20 years I have held the property.

6786. Mr. *Locke.*] In the case of Russell-square and Bloomsbury-square, has not the value diminished one-half at least?—There have been fluctuations.

6787. In Bedford-square did not the houses diminish from about 300 *l.* a-year to about 130 *l.*?—Yes.

6788. And how much have they risen since; have they risen to anything like the previous rents?—I should think not; because there has been a change in fashion. Fashion has proceeded further west, and the rents have risen in the neighbourhood of Belgravia.

6789. Has not all property north of Holborn, between Holborn and the New-road, diminished very much in value?—I cannot speak from personal knowledge.

6790. In Burton-crescent, Judd-street, Brunswick-square, and those parts which used to command high rents, are they not now all low rents?—I should be afraid that the statement is a correct one.

6791. Mr. Alderman *Lawrence.*] With respect to your own experience in the parish of St. Dunstan's of your own property, of which I believe you are the freeholder, can you say whether there has been any rise in the rents during 25 years?—There has been no rise whatever. As far as my own property is concerned, a block of seven houses, abutting on Fleet-street, within my experience, there has been no rise in the rents during the whole of the time I have held the houses; since I built them.

6792. How long ago was that?—Since 1843.

6793. Mr. *Locke.*] Generally speaking, in the City of London property has risen in value?—It has in certain situations; in the neighbourhood of the Mansion House, for instance. One point connected with the City reform was that if we could obtain the power of effecting an improved administration that might be realized in respect of the corporate expenditure, the value of the Mansion House would be enormous if pulled down and sold for building. The plot on which it stands is, I suppose, the most valuable site in the world. One is afraid to say what it would produce.

6794. Mr. Alderman *Lawrence.*] I presume, according to your simile of taxation, you look upon the Mansion House as a general would do invading a country, believing that it might be seized upon most easily and adapted, for the benefit of the whole metropolis most readily?—I am afraid you are correct, and very nearly state my view of the matter. As I am referring to that question, I should like to draw the attention of the Committee more fully to the matter for a moment. I have here a report of what is called the City Estate, the last published report of the City of London, which contains two items to which I would call attention, connected with the Mansion House. There is a statement here with reference to the expenses of civil administration, and there are two items of a very marked character. The first is the cash allowances to the officer called the Lord Mayor, which are here stated to be 6,506 *l.* 3 *s.* 6 *d.* The next item is the expense of supporting this officer in the building called the Mansion House, and the figures are these: for repairs, furniture, gas, and rates, without allowing anything whatever for rent, 4,324 *l.* 11 *s.* 10 *d.*; so that altogether, in those two items, we have 10,830 *l.* 15 *s.* 4 *d.* spent upon the one individual officer called the Lord Mayor, and that is exclusive of the expenses of the justice room of the Mansion House, which is separated as a distinct item, amounting to 2,071 *l.* 5 *s.* 4 *d.*

6795. You add a reasonable sum for the rent of the house, which you estimate at so much?—I am afraid of saying what the precise value is.

6796. What do you think would be a reasonable rent?—Seven and a half per cent. is generally considered a reasonable rate.

6797. Mr. *Locke.*] Has any estimate been made of what it would fetch?—There was a general estimate made some years ago, in 1835, when it was anticipated that the corporation of London was about to be immediately reformed. An old friend of mine, now dead, Mr. Williams, the Member for Coventry, and a member of the corporation of London at that time, took a great deal of pains on the subject. He got a committee of the corporation appointed, and the officers of the corporation were asked for a return of all their fees and emoluments. At that time they expected that they would be immediately compensated for all their interests, and they were ready to give an accurate and full statement of all their fees and emoluments, which they have not been so willing to do ever since. In the report that was made it was stated that the mere pageantry connected with the office of Lord Mayor, including a fair builder's profit upon the Mansion House, cost, out of the funds available for public purposes generally, 25,000 *l.* a year. That was disputed, as being incorrect; of course the sum amount was said to be highly exaggerated, and the City Solicitor subsequently stated that it did not amount to more than 15,000 *l.*

6798. *Chairman.*] You do not think that seeing this person in an ornamented coach, and curious clothes, is a sufficient compensation to the public for an outlay of 25,000 *l.*?—Very far from it. There is also this point, which is of some importance. It is one thing to give a man, say, 5,000 *l.* or 10,000 *l.* a year, or to support him at that expense when that individual is an officer of distinction, or a

person

person of some extraordinary merit, to whom the public generally would be disposed to do honour. Although it is much larger than the sum given to the President of the United States, I can imagine a sum of 15,000 *l.* to be a legitimate appropriation in such cases, but in the case of this officer called Lord Mayor, the principal adopted in the City is not that the best man in the City should have the highest place, but that any alderman of the Corporation is good enough for the office of Lord Mayor. There are 26 members of the Court of Aldermen, and of course there must be a great variety of ability amongst them; some persons of no very great ability, and others able administrators; but the principle is, that any one of them is good enough for this post, and that each shall take his turn.

6799. Do you not think that enduring the position of City aldermen for several years, and eating a vast number of dinners during that period, entitles a person to this distinction?—I am afraid not; certainly not in my estimation.

6800. Mr. *Locke.*] Do you not think that a man serving the office of alderman acquires a knowledge which fits him to be Lord Mayor?—If he has the capacity of acquiring knowledge. I have seen a great many persons pass through life with great opportunities of acquiring knowledge, who have made very slender use of them.

6801. Are you aware that the alderman is elected by a ward?—I am aware of that.

6802. And that the Lord Mayor is elected by the whole of the Livery, consisting of about 15,000 persons?—Yes; when appeals are made to the whole Livery.

6803. How would you elect the Lord Mayor according to your scheme?—According to the scheme I sketched out, the Lord Mayor would be elected by a new Court of Aldermen, not by the mass of the people.

6804. Mr. *Mill.*] He would not be taken by rotation?—No, nor in the case of the new Court of Aldermen I have proposed should I have the aldermen elected by the whole of the ward.

6805. *Chairman.*] You would not adopt a scheme of rotation, but you would find the best man?—Certainly not rotation, but selection; that is rather an important point. I see some evidence has been taken upon the subject, and I should like to say a word upon it, because Reformers differ a little in opinion as to whether an important officer should be chosen direct from the people or by an intermediate stage of election. I am unquestionably for an intermediate stage; the infiltration system which has been objected to I see by Mr. Beal. But there is this distinction to be observed, the principle of electoral colleges appointed merely for the purpose of electing some individual officer is a bad one. It is an error to elect a body which shall have nothing to do but to choose a particular person. You might just as well in that case elect the particular person at once from the mass of the people. That is one of the defects of the constitution of the present Board of Works. The vestries are called upon, as soon as they meet, to elect a representative for the Board of Works before they have any opportunity of acquiring by experience a knowledge of the persons most suitable for such an office; but it would be quite otherwise if, after sitting 12 months as a working board, discussing general matters of administration, and observing each other's qualifications, they were then to make such an appointment. You will find that, as a general rule, where a number of persons are so brought together, as to have an opportunity of studying each other's qualifications, the person they ultimately choose as chairman is almost invariably the man best fitted for the post. If there are 50 members sitting as a working board for 12 months, and discussing general matters, their experience will enable them to choose among themselves the very best member of the board as a chairman. That is the principle upon which we should go. Let the members of the municipal board elect their chairman, *pro tem*, and re-elect him at the end of 12 months after they have had full experience of his qualifications; then let that man, with all his experience, and the advantages of his position, be the representative of the district board in the upper chamber. I think by that means you would get a far better class of men for the highest posts than by appeals to the people.

6806. Mr. *Locke.*] What body are you speaking of now?—I am speaking now of carrying out a new scheme for electing the Lord Mayor.

6807. Are you aware of the mode in which the mayor is elected in municipal corporations at the present time?—The mayor is elected by the council, and the aldermen are elected by the ratepayers.

6808. The aldermen are elected for three years?—I should object to the election of aldermen by the people.

6809. How would you have them elected?—I would have the chairman of the local board to be alderman for the ward.

6810. You would have 50 wards?—Yes, and 50 aldermen.

6811. How many common councilmen would you have for each ward?—Not exceeding 50; small bodies are always best for working boards.

6812. Then your whole council would consist of 2,500?—Yes; but they would not meet as a whole council. I am not speaking of any grand court of common council; my local councillors would only meet in their local districts.

6813. Is there any court at all?—No general court of common council.

6814. What is there to be a general court of?—A general court of aldermen; the chairman of each local district, with all the experience he has acquired, would represent each local district in a general court.

6815. Then there would be a council of 50?—A general council of 50.

6816. That would be composed of the chairmen of the different wards?—Yes.

6817. That general council of 50 would have the government of the whole of the metropolis?—Yes.

6818. You are aware that there is a great deal of legislation in the Court of Common Council, that bills are passed in that Court precisely in the same way as in the House of Commons?—Yes.

6819. You are aware that there is a Charter of Edward III., which is very extensive indeed, under which the Corporation can make laws, and that they do make laws of a very important character?—Yes.

6820. Then you would delegate to these 50 men to select one man who would be sent up to the Court and form a fiftieth part of the governing body of the whole metropolis, to pass all the necessary laws for the regulation of the metropolis?—Yes.

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6821. That is your proposition?—That is my proposition. In further illustration allow me to state, that I think it desirable for all purposes of legislation that there should be much more discussion on the part of local representatives than there is now; much more deliberation before any measure is passed into law.

6822. I understand you, that these 50 persons in their different wards, should have no power to make law?—No; the plan I wish to carry out is, in fact, what I noticed when travelling in Germany some years ago. The system adopted by the Prussian Government is this: the Council of State issue a *projet de loi* which may affect local administration throughout Prussia, and they sent copies of the *projet de loi*, before finally determining upon it, to the different provincial assemblies for discussion, and to point out what amendments the measure may be susceptible of; then it comes back to the Council of State which considers the proposed amendments, and then after revision, it is finally passed; so I think it should be with regard to the Metropolis. If there is any law required for the Metropolis at large, that law might be prepared by the executive of the Court of Aldermen, and copies of it might be submitted for discussion to each of the municipal district boards, who would discuss it in their own separate districts, and, after discussing it, would give their chairmen the power of modifying it.

6823. Would they make him a delegate for the purpose of carrying out their views?—He would be a general delegate. It might be desirable (I am not clear that it would not be in some cases) to have a special delegate to represent the views of the district board.

6824. You propose that the local board should send him to the council of 50 merely to vote for the decision which they had come to upon the subject?—Not merely to vote, but to discuss the matter again with the other chairmen; his opinions might change.

6825. Then he would go untramelled, and vote as he liked?—Yes.

6826. But you think that the discussion below would instruct his mind so as to enable him to know what the views of his constituents were?—Yes. The remedy in the local districts would be to remove the alderman if they were not satisfied with his conduct at the end of the year.

6827. What powers would you give to this body of 50. The same powers as the Court of Common Council has now?—Yes; that was my suggestion. That all the ancient powers and privileges that applied, by Charters or old Acts of Parliament, to the Lord Mayor, Aldermen and Common Council of the City of London should apply to the municipality.

6828. You are aware of the mode in which the Court of Common Council carry on their business?—Yes.

6829. By committees?—Yes.

6830. Are you aware of the number of committees in the Court of Common Council for particular purposes. That there is a City Lands Committee, and a Market Committee, and a committee to report upon every subject committed to their charge, and that upon those reports the Court of Common Council decides what is to be done. Now, out of your body of 50 men sent from these different wards, do you think it would be possible to form those committees?—I do not think that the same kind of committees would be required, because, in the local districts, a great many matters connected, for instance, with local sewers and the paving of particular streets might be superintended by committees of the local district boards.

6831. You think they would have to report?—Yes, they would report to their own body, who would be competent to settle such matters.

6832. Supposing the question affected the interests, not merely of some particular locality in which a particular market, for instance, was placed, but the interest of the whole Metropolis, do you think that a committee composed simply of those who represented that particular locality would be a fair committee, or do you think that you ought to have men representing all interests?—There is no doubt whatever, that wherever there are sectional divisions there are sectional interests, and they have to be overruled; and the use of the Metropolitan Central Court would be that it would have power to overrule these sectional interests in the general interest.

6833. When anything was to be recommended by a district board they would make a report accordingly?—Yes.

6834. When a committee makes a report a great deal of deference is shown to that report, but do you think that any deference would be shown to a report of a committee composed of men only desirous of carrying out a particular object; would it not be necessary for the other body to have a committee to inquire over again?—I do not see that the objection applies to the scheme I laid down; it applies to the existing system. I have known committees of the Court of Common Council actuated by sectional interests, as, for instance, the Market Committee was actuated by a sectional interest in the case of Smithfield Market. Large sums were wasted by the Corporation in Parliamentary opposition, simply at the instigation of the Market Committee, with regard to the removal of Smithfield Market, which was rendered almost a national question for 20 years.

6835. Suppose you had a committee formed of 50 men, in whose locality Smithfield Market was, do you think that would have improved the matter; that they would have made a better report, or a more fair one?—Where you have sectional divisions of any sort you must so far have sectional interests, and the representatives of the sections will represent, as it is proper they should, those sectional interests. If they were all agreed about some sectional interest, that would be a general or universal interest.

6836. It would be a universal interest in that little locality; it would not be a universal interest so far as concerns the one next door to it. Supposing, in this House of Commons, a committee is appointed, consisting only of members of a particular locality, and upon a subject concerning that locality, do you think that would be a fair committee; are you not aware that that system was formerly adopted, and that it was altered because it was found not to work well, and are you not creating a municipality open to all the objections that have been remedied everywhere else?—I do not see that I am, by any means.

6837. What you say is that questions concerning a particular locality are to be discussed in that locality, that the locality is to make a report to the body of 50, and that the 50 are upon that information to decide upon the question.

Do

Do you not think it would be much better if you had men on that committee from all the localities, or a portion of them, to consider such questions as concern the whole of the Metropolis?—The use of the Upper Court, or the Court of Aldermen; the body of 50 in the scheme I have submitted, is that it would represent the interests of the whole of the Metropolis; that it would itself have no sectional interest. The use of the local districts is that their sectional interests would be sufficiently studied, as it is proper that they should be. There is nothing necessarily obnoxious in sectional interests; it may be desirable that in a particular area there should be a particular market. If they think so let them have it if the market does not interfere with the metropolitan interest generally.

6838. They would inquire into what concerns them; they would not go into a general inquiry into the whole subject?—As far as their own local interests are concerned they would act. For instance, if a street wanted paving, and their local surveyor said, "Such-and-such a street is sadly out of repair; we must attend to it," they would give instructions respecting it.

6839. Would you give them power to do that?—Undoubtedly.

6840. Out of what funds would the street be paved; out of the general fund?—Yes, but that is a matter of detail.

6841. Is it not a very important matter who is to pay for it; that is usually the grand question in this country?—They would take a strictly local expenditure out of their own local revenue.

6842. Would you give them powers of taxation within their own districts, as well as general powers?—Within certain limits; the whole subject of taxation would be generally revised by the Upper Court, and also by Government.

6843. When these localities have levied a tax, would you define what it was to be applied to, or should it go into the general fund, and then when an improvement in a particular locality has been decided upon, the general fund would pay for it?—That is another question of detail. I do not think there will be any difficulty in it.

6844. You think that would be an improvement upon the plan which already exists, namely, that committees should be formed out of the whole body?—I think so. We have now, in the case of the Metropolitan Board of Works, a sort of general committee for the whole body. We should have the same upon this scheme, which is only an improvement upon the general idea of the Board of Works.

6845. Is not the system of the Board of Works directly opposite to your plan; it consists of 43 members, and they are persons who consider every question, whether it belongs to a locality, or whether it belongs to the whole Metropolis, so that it is precisely opposite to your proposition?—No, I do not conceive it to be so. The Board of Works has only power with regard to main sewers not to branch sewers. It has not the power it ought to have in many matters besides sewers.

6846. Do you recollect the question that arose with respect to the localities that were to pay the debt due by the Board on the Rock Loan?—No.

6847. The question of the re-adjustment of that debt and putting it upon the different parishes was taken up by the whole Board, but supposing it had been left to these particular localities themselves, of course they would not have taxed themselves and assumed a new burden instead of remaining with the smaller one?—I do not know how it is possible to put the adjustment of such a difficulty upon a better footing than I have done.

6848. You know the way in which it is done now in the Corporation of the City of London and by the Metropolitan Board of Works, that committees are formed out of the whole body, not merely by persons representing particular localities?—It is only in regard to main sewers that the Metropolitan Board of Works can interfere.

6849. Are you aware that in the Corporation of London there are Commissioners of Sewers?—Yes.

6850. Do you know how they are composed; that they are chosen out of the whole body of the Corporation?—Yes.

6851. Although they have district powers over other committees, they are composed in the same way, I believe, as other committees, of members from different wards of the City of London; that is contrary to your proposition, because you can compose your committees of one body, namely, of each ward?—There is no kind of objection to the Board of 50 composing the new Court of Aldermen, appointing as many committees as it pleases. Some work, no doubt, would be done by committees; a committee of five for one object, a committee of 10 for another, and so on.

6852. Do you not think it would be better that they should go through the question again and take evidence themselves?—They would, whenever it appeared to be a matter of sufficient importance.

6853. They would form a committee?—Sometimes. There could be no possible objection to committees upon any question at issue.

6854. How far would you have your corporation extend?—The subject of boundaries might be reconsidered, but at present my impression is, that the circuit should be the same as is embraced by the Metropolitan Police. I presume, with regard to the area of the Metropolitan Board of Works, there is this objection that may possibly apply to it, though I have not looked minutely into the question. That area was considered almost exclusively with reference to drainage outfalls, and so on. Certain districts were taken in, not because they were otherwise wanted, but because the outfalls, or the levels, were more convenient, and they wanted to get sufficient command of the proper outfalls.

6855. Mr. Alderman *Lawrence.*] If I understand you correctly, you would consolidate the whole of the local government of the Metropolis into one united body?—Into one united body.

6856. I believe you do not propose to abolish the Corporation, but to absorb it?—To extend and absorb it.

6857. And at the same time to appropriate the property of the City for the benefit of the Metropolis?—I should not put it in that way; I should not call it the property of the City, but public property as connected with the Metropolis; metropolitan property.

6858. *Chairman.*] Derived generally from taxation?—Derived from the taxation of everybody, more or less, coming into the Metropolis.

6859. Mr. Alderman *Lawrence.*] You would appropriate, for the benefit of the whole Metropolis, the present estates of the City, which they claim as their special property?—I should con-

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sider that property, legitimately, strictly, and in every sense, the property of the Metropolis generally, as derived from the system of taxation which has prevailed time out of mind, and time out of mind has borne generally upon the Metropolis and the suburbs.

6860. You consider that the City estates and the City property have been accumulated at the expense of the whole Metropolis?—Yes; not exclusively so, but very generally.

6861. You have made some remarks upon the office of Lord Mayor, and you have been asked whether you consider it adds to the importance or dignity of his position that he should have any robe of office, or carriage of state, or that there should be any ceremonial whatever; is it your opinion that throughout the whole of the municipal corporations all elements of state should be abolished?—The word "all" is a large term. There are certain outward signs of official position that it may be always desirable to retain. I would not exactly say that a counsel should be deprived of his wig, and be obliged to address the court in plain costume, as is the case in some countries, but there is a wonderful difference between the expenses incurred in such municipal corporations as Leeds and other places, and those incurred in mere pageantry by the Corporation of the City of London. Let me not forget another point. In the case of the Lord Mayor of London the abuse is the more striking, because the person chosen as Lord Mayor does not, in his original capacity as an alderman, represent any very considerable number of the City population. I think I am correct in stating that in the ward of Bread-street there are not more than 100 resident freemen who choose the aldermen of the ward. I remember myself a contested election in the ward of Bread-street, in which 32 persons voted on one side and 31 on the other, so that the alderman was chosen by a majority of one on this small number, and no doubt he became in rotation Lord Mayor. It is a public scandal, a European scandal, that such a state of things should be tolerated in the first city in the world; that a person upon whom there is an expenditure of some 15,000 *l.*, or 20,000 *l.* in pageantry should be elected by 32 resident freemen.

6862. You have alluded to the election in the ward of Bread-street; are you aware that in consequence of that election an Act of Parliament was brought in giving power to the whole of the occupiers of premises or counting houses in the City of London who become freemen to vote for the municipal officers in the City of London?—I remember there was a reduction made in the amount of freedom fines, and some other change, but there was not any redivision of wards. Before I came here to-day, I wrote to an alderman of the Corporation of the City of London, requesting him to send me any return showing the existing number of freemen occupiers in the different wards, but he was not able to do so. He was not aware whether there was any recent return or not. I think I am correct in stating that there are, now, not more than 100 freemen occupiers entitled to vote for an alderman in the ward of Bread-street; and there are some wards in which the number is less.

6863. You have alluded to a committee which a friend of yours, Mr. Williams, formerly a member of the Common Council, and afterwards Member of Parliament for Lambeth, got appointed, and which brought in the expenses of the mayoralty at something like 25,000 *l.* a year?—Yes.

6864. Are you aware how that calculation was made?—Yes.

6865. Are you aware that it was made by taking an assumed rental, and the cost of repairs year by year, taking it out at compound interest, and so arriving at what was called the present rental of the premises, and that when that statement was brought before the Court of Common Council, and men accustomed to audit accounts took hold of it, it was shattered to pieces immediately they touched it?—I am not aware it was shattered to pieces. I well remember that it was most vehemently attacked, and that the conclusion remained upon my mind at the time that it was attacked most unjustly. I believe the estimate for rent of the Mansion House was 7 per cent. upon the cost of the building; that, of course, swelled the amount; but even if you take off that 5,000 *l.* for the Mansion House rent, so estimated, the difference is not of moment. It is a very serious thing to say that one office costs 20,000 *l.* a year, and so it is if you say it only costs 15,000 *l.* The City solicitor, the late Mr. Charles Pearson, was at great pains to show that it did not cost more than 15,000 *l.* a year, and I am content to say that it does not, though I believe it is much more.

6866. Was not the rent calculated, and were not the expenses calculated something in the same way as if a man at the end of 20 years were to calculate all he had spent in that time, adding compound interest each year, and bringing out the whole amount as his expenditure in the 21st year?—I am not prepared to say how the cost of the building was calculated; I am not defending the estimate.

6867. You are not defending the estimate as to the 25,000 *l.*?—I should say that it could be defended, taking it in this light, that we have now to consider what value might be realized by the Mansion House if we sold by auction to-morrow, and let the ground. I do not think that Mr. Williams' report, which you refer to, would be found an exaggeration, even at the present time.

6868. In estimating the cost of the Mayoralty in the account that you have made out, I believe, with regard to what you call pageantry, you have added certain officers connected with the whole of the Corporation; you call them pageants belonging especially to the Lord Mayor, but do they not belong also to the body generally, and are they not elected by the body generally?—I include of course such officers as the yeoman of the chamber and the second yeoman.

6869. Which are all gone now?—No, because I find them in this list. Some of them, I am happy to say, are in a process of extinction.

6870. The mace and the sword-bearer?—Yes. The fact, however, is beyond doubt of great waste in the mere matter of pageantry, and what is called City hospitality; but what appears in these City returns is not the only point to be considered, because, independently of what is actually charged to the City Estate account, there is a large sum contributed by individuals who are induced for the sake of position, to come into the Corporation and take expensive offices, contributing themselves, out of their own pockets to swell the cost of the particular office. For instance, a gentleman recently elected to the office of Sheriff of London, calculated that he would have to spend out of his own

own pocket 3,000*l.* or 4,000*l.* in contributing to the expenses of dinners, processions, and so on.

6871. I think you state in your book that the additional sum required for the Lord Mayor is even larger than that?—I believe that a Lord Mayor who saves money out of his allowance is considered to have acquitted himself in a very mean and unsatisfactory manner, and if he does not half ruin himself besides, he will not have a due amount of honour paid to him. Another misfortune of the case is that it establishes a bad precedent. Here is the head officer of the Corporation paid in this extravagant manner, and the money goes in mere ostentation and pure waste. Nothing good comes out of it whatever, that I can perceive, and the result is that there is a precedent set up of an extravagant scale of expenditure for all other offices connected with the Corporation, and for those of local boards throughout the whole country, where the argument is used. "See what the City of London allow their Lord Mayor. Why should not our mayor have a larger allowance?" This was the objection urged against the introduction of municipal corporations in several of our large towns for many years. Some of them said, "We will not have a corporation in our town; we will not avail ourselves of the powers of the Municipal Reform Act, because if we do, we shall have such wasteful expenses brought upon us as we see illustrated in the case of the Corporation of London. We do not want a Lord Mayor, and a stage coach, and a sword-bearer, a City Chamberlain, and a City Comptroller, and a number of other officers paid at the same rate," amounting altogether to 110,000*l.* per annum, which is about the amount of patronage, in mere offices, of the Corporation of London.

6872. You have said that any alderman is good enough for Lord Mayor?—I say that that is the rule that is followed.

6873. Is that the fact; has every alderman been elected as a matter of course?—There have been cases in which it was thought that if a particular person took his turn, it would be too great a scandal; that there was too much inebriety or some irregularity in a man's life, that it would be desirable to pass him over, and his colleagues have given him the cold shoulder; but, for this to happen, it must be a very striking case indeed.

6874. Was that the case with Alderman Harmer, who was put aside by the Livery of the City of London; did any of the causes to which you have alluded operate in causing Alderman Harmer to be put aside?—I should prefer not to go into any particular case; I am only speaking of the understood rule, that unless there is something peculiar in a man's conduct and character, he serves as a matter of course; that is unquestionably the rule.

6875. Mr. *Locke.*] Do you remember why Alderman Harmer was put aside?—I believe he was the proprietor of the "Weekly Despatch," and there was a writer in the "Weekly Despatch" who defended the "Times;" that was altogether an exceptional case.

6876–7. Mr. Alderman *Lawrence.*] Before a person comes to be Lord Mayor, are you aware that he must serve the office of magistrate for some eight or nine years, and during that time must go through the duties of managing prisons, attending the Central Criminal Court, administering justice at the Guildhall, and sometimes at the Mansion House, attending various Courts of Common Council, and various committees of the Corporation, and attending to the whole business of the Corporation generally, and be seen amongst the members of that body, otherwise he will stand no chance of being elected Sheriff of the City, or Lord Mayor?—I am aware that the existing class of aldermen undertake these multifarious functions and duties; I am not aware that in all cases they adequately discharge them. I often wonder at the ambition of individuals that stimulates them to take such functions upon them, which I myself have shrunk from, feeling my incompetency to discharge them. The office of a City magistrate is a very important one, involving a sacred duty. I think a man ought to go through a great deal of preliminary study before he presumes to sit on a bench with fellow magistrates to administer the law. The class of men we see presenting themselves for the election of aldermen, certainly have not, in many cases, to my knowledge, given much preliminary thought to the mode in which such duties should be discharged. I think it is a serious evil, and a very great public grievance.

6878. Are you aware that an alderman has to serve the office of sheriff, and afterwards has to be chosen by the livery of London, in conjunction with some other alderman, and then the court of aldermen select one of the two?—I believe that is the form.

6879. And you say it has not been universal, that every man has been able to pass through all those various ordeals?—It has not been universal.

6880. With respect to the magistrates of the City of London, are you aware that it is the general feeling of the constituency of the City of London that they should preserve the right to elect their own magistrates from amongst themselves, and not have stipendiaries appointed by the Crown?—I am not aware that that is the general feeling. I know that many individuals have entertained a very strong conviction to the contrary. I have not myself found that the popular magistracy of the City of London has worked altogether satisfactorily. I think the stipendiary magistracy of the City of London, on the whole, has worked much better. I think, in fact, that the magistracy of the City of London, as far as it is connected with the aldermen, could not be carried on at all were it not for the stipendiary system connected with it; as it is, at the Mansion House and Guildhall, where the administration of the laws very much depends upon the clerks of the court; that is, upon the legal knowledge possessed, not by the sitting magistrate, but by the clerk who sits under him at a desk, and prompts him as to what is to be done.

6881. Is not that system which has been in vogue for so many years in the City of London been satisfactory to the citizens, as a whole?—I cannot speak of the citizens as a whole; I think the most intelligent section of them would be of a contrary opinion.

6882. I believe that, as well as writing an article in the London and Westminster Review, in January 1836, you also wrote an article in the Westminster Review of May 1843?—Several articles. I have written three pamphlets on the subject. There is scarcely any subject on which I have written so much.

6883. That article, I believe, was the subject of a public discussion, at which Mr. Travers took the chair; there was a large audience; and, I believe,

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I believe, before that audience it was satisfactorily shown that the statements made in your article could not be borne out by inquiry?—There was a public discussion got up by Mr. Charles Pearson, in which I refused to take any part. I held the Westminster Review at that time, and having attacked the corporation for its lavish and wasteful expenditure, and having incidentally alluded personally to Mr. Charles Pearson, I offered him the use of our columns. I said, "If you find yourself aggrieved by anything stated in the Westminster Review, do you yourself write an answer to it, and the Westminster Review shall be open to you for the purpose of rebutting those wrong statements." He would not accept that, but preferred, as he was an eloquent speaker, and knew how to command the feelings of an auditory, to get up a public meeting. He accordingly called his friends together, and got Mr. Travers to preside at a meeting; and they, of course, passed such resolutions as might have been anticipated.

6884. Mr. *Locke.*] Were you present?—I was present as a listener.

6885. You did not address the meeting?—No, I merely stated to the meeting what I had done, as I state it to you now. It was not possible that the subject should be discussed in that way. It was not a case to be met by popular harangues on one side or the other, but by sober, fair inquiry. It was a case in which the pen would be more useful than the tongue.

6886. Mr. Pearson had it all to himself?—He had it entirely to himself. The point on which I felt a little tender was an allegation that he made, that I had personally stated an untruth with regard to his own income, as City solicitor, which I had described as amounting from various sources to between 2,000 *l.* and 3,000 *l.* per annum. In the course of his explanations, Mr. Pearson admitted that he had returned his income to the Income Tax Commissioners at 2,100 *l.*; and really that appeared to be the extent of any misrepresentation, or any wrong I had done him. The difference did not strike me as a very serious one. With regard to the general statements about the Corporation of London, Mr. Pearson entered into a long historical detail which enlightened me upon several points so much, that I stated to him afterwards, "I really did not know, until you had done speaking, that the corporation had been so bad. I am glad to hear from your statement that it is now improving, and I hope we shall see, before we die, a much more considerable improvement than has been effected even in your time."

6887. Mr. Alderman *Lawrence.*] I believe you are intimately connected with Mr. Chadwick?—I am personally acquainted with Mr. Chadwick.

6888. Are you aware that he was examined at the last meeting of the Committee?—I have not seen his evidence.

6889. Do you agree with him that this proposed central body might be appointed advantageously, partly by the Government and partly by the people?—We know that there is, and has been, on the part of both Whig and Tory Administrations, a little jealousy with regard to the creation of a metropolitan municipality; and municipal reformers have therefore thought it expedient to agree to a compromise of their claims. They have said, "Let us have our municipality, and let the Government appoint such a portion of the Metropolitan Board as may be thought necessary for the general safety." I do not believe in the necessity for any kind of Government interference. I should feel perfectly at liberty to entrust the safe-keeping of the Metropolis to a Lord Mayor of popular appointment, elected by such a Court of Aldermen as I have proposed.

6890. Would you pay the Lord Mayor a salary; not a salary for state, but a salary on which he should live?—Yes; my notion generally is that municipal officers should be paid, and well paid. With regard to the aldermen, whom I have proposed to be the chairmen of the different municipal district boards of the Metropolis, I should pay each of them a salary, not less than 1,000 *l.* a year. That would represent an expense of 50,000 *l.*; and although I do grudge the extravagant sums now wasted in ostentation and so-called hospitality, I should not grudge such an expenditure as that which I have mentioned, because it would improve the system. It would be a stimulus to first-class men to offer themselves for the office.

6891. What would you pay the chairman of the whole body?—That is another question of detail.

6892. More than a thousand a year?—Yes.

6893. Two thousand?—Possibly.

6894. Do you not think that such a system of paying each district chairman, and paying the chairman of the whole body, would drive away all persons of independent means from seeking those offices, and that they would be sought by men talented and clever, but sought for the purpose of obtaining a living?—No, I do not think it would have that effect. I have a strong feeling that it is not desirable as a general rule to allow individuals to accept important posts gratuitously; to discharge important duties without any kind of remuneration. I think the public ought to have a hold upon them, so as to be able to say, "You are paid by us to do so-and-so; you have not placed us under any particular obligation, and you must do your duty."

6895. Would you pay the members of the district boards?—The principle would involve that, but it would be more or less a question of practicability. If the funds were sufficient, I should propose to pay them too.

6896. Would you place the Poor Law management under this Board?—I would distinctly place the Poor Law under the management of the Board. I am glad you have reminded me of that point, because it is an important one. It is a question that I was familiar with 30 years ago. In fact, it was the question of the day, when the Poor Law Bill was discussed, whether the Poor Law management should devolve on the new municipal administrations to be created. It was the view of the most intelligent reformers of that time, that the functions should be united; that there should not be one set of officers for performing one set of municipal functions, and another set of officers for performing another set of municipal functions. The more intelligent reformers could not carry their point, and two separate systems were adopted, one creating a board of guardians, and another creating new municipal corporations. In the case of the City of London I distinctly remember it was proposed to the Corporation that they should take upon themselves as a Corporation all the duties devolving upon a board of guardians: that there should be but one union for the City, and that the leading municipal authority,

authority, the Corporation, should take charge of it. The Corporation, more anxious about matters connected with state and hospitals, declined altogether having anything to do with poor law duties, and in so declining, in my judgment, they abnegated their proper functions as the municipal guardians of the City. Unquestionably the duties of Poor Law administration are the most onerous of all the functions of a local board, and the Corporation of London in 1834 shirked their share of them.

6897. Have any other corporations taken upon themselves the management of the poor?—The opportunity has never been given them. A separate jurisdiction was created under the Municipal Corporation Act.

6898. I think you had something to do with respect to the new poor law. Am I correct in stating that the new Poor Law was established upon the principle of confining all relief given to distress within the workhouse?—No; I am not aware that it was so. With regard to the question of divided jurisdiction, I have had sent me to-day from Somerset House the last Report of the Poor Law Board, and I have looked through one of their tables to ascertain what the general result has been with regard to the expenditure since the year when the present Poor Law system was established, 1834, to the present time; and there is just this one fact that brings out the mischief arising from divided jurisdictions. If the administration of the poor's rates had been thrown upon the municipal boards, and we had not municipal boards on one side, and Poor Law unions on the other, we should not, of course, have had two sets of municipal establishments to maintain, but only one, and there would be an economy in the matter of establishment charges. Now, you will observe in the working of the present system by which the Poor Law administration is confined entirely to a separate class of officials, the result is this. In 1834 the maintenance and relief of the poor cost somewhat more than it does now in 1866. It then cost 6,317,000 *l.* per annum, whereas now it is 6,243,000 *l.*, while the establishment charges have gradually been working up and up until now, in 1866, they amount to 1,000,000 *l.* more than they did in 1834.

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Mr. William Rendle, called in; and Examined.

6899. *Chairman.*] What are you?—A Surgeon.

6900. And do you hold any office?—I was for 17 years surgeon to the poor. I gave up that office, and became an officer of health for three years in St. George-the-Martyr, Southwark. Since that time I have been a vestryman during four years out of the six for the same parish.

6901. Mr. *Mill.*] You have turned your attention to municipal administration generally, and the local government of the Metropolis in particular?—Only in so far as it is connected with the condition of the lower classes, and more especially in connection with the question of public health.

6902. You have written on the subject?—I have written on the subject, and the cause of my writings that I have put forth, partly in newspapers and partly in pamphlets, has been an utter dissatisfaction with the management of health matters connected with the poorest people.

6903. Will you state to the Committee anything you may be disposed to say upon that subject?—Before the Local Management Act came into operation, I was surgeon to the poor, and I frequently had to state to the guardians the vast amount of illness arising from causes that I considered might with ease be prevented in a proper state of society. The guardians did what little they could, but their answer generally was to this effect, "We regret that we have no power; we see that there is very much fever and other disease which might be prevented by separating the cases, by the improvement of houses, and taking away unhealthy causes; there is very much that you put before us that might be amended or prevented, but we have not the power." Then when the Metropolis Local Management Act came into operation, I sought the office of an officer of health, and easily obtained it. One condition was that I should give up the other office, which I did. I continued to serve to the best of my power for three years, and at the end of that time I sent in my resignation to the vestry, but it was withdrawn at the desire of some of them. Then within a very short time I sent my resignation in again, in the following letter: "The reasons for my with drawing are, I believe, well-known to you all. To sum them up, however, in as few words as possible, they are as follows: That in this parish, being, as it is, one of the most unhealthy and fatal places to live in in London, and, as I believe, chiefly from local and preventible causes, the means adopted under the new Acts by the local authority to improve the health and remove the causes of disease and death are not only insufficient, and without systematic end and aim, but are also in some points quite wrong; that in the face of these facts, we have lately even receded from our previous line of action; and that your medical officer, in stating the plain truths, as indeed becomes him in so very unhealthy and neglected a parish, has to say the least of it, not met with that help which he had a right to expect; indeed, he believes that he has met with positive discouragement. I beg, however, most gratefully to acknowledge the help and countenance I have received (without which, I could not have continued your health officer many months) from those gentlemen, members of your body, some of them owners of 'poor property,' who believe with me that life may be greatly prolonged, and even saved, and that comfort and better feelings may be produced among the poorer classes by the honest, unswerving, carrying out of sanitary improvements." I enter into the matter at length to show that there was no mistake about the cause of my resignation, that it was simply disgust that I was not allowed to carry out the duties of my office.

6904. Was this from want of power on the part of the board of guardians, or want of will?—I am not speaking of the guardians but of the vestry. I believe, the law being new to them, they did not quite understand the mode of carrying it out; but it was partly from corrupt motives, for, on one

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one occasion, one of the principal members of the vestry, an owner of considerable property in the parish, called me aside and requested me to pass over certain property of his that I found in an extremely bad condition; I did not pass it over, of course. I was congratulated upon my entry into this office, especially by one person (the richest, I suppose, in the parish), who owned the largest amount of poor property, because I had obtained an office that was a sinecure, and he thought that as I had worked 17 years amongst the poor I deserved it. I said that as I had worked 17 years amongst the poor I had learnt that the office I had now taken was anything but a sinecure, and I looked forward for a long time to a reversion of hard work. The chairman of the local committee was, as I thought, specially appointed as a positive obstructor of sanitary measures, at all events he acted as such. At every meeting, when I attempted to do anything in particular, I was positively worried. I could not stand that, and at length I resigned; and I said on the occasion of my resignation that I expected to become a vestryman. I was not elected the first year; there was rather a set against me. On the second year I was elected, and I served for three years. I was elected again after that by every ward in the parish, and I had to elect to stand for one ward. I am now sitting really as the representative of three wards.

6905. Did you, in that character, renew your exertions to obtain a remedy of these evils?—It is since that time that I have used my influence amongst the vestrymen, many of whom are patients of my own, and among my friends, to work up a better state of things.

6906. Have you done so with any success?—Yes, principally owing to the exertions of one of my friends in the vestry and myself, we have lately obtained another inspector, and that inspector a most active man. Previously our visits were to a very few houses, but now perhaps we have 100 cases inspected every week, and the new inspector tells us that out of the 100 cases inspected, at least 90 of them (I think he said 39 out of 40) are in a very bad sanitary condition and absolutely require amendment. When I urged the appointment of the new officer, it was said that nothing of the sort was wanted, and that the old officer was going on very well, but it turned out that he did not generally inspect, but waited for complaints to be made.

6907. So far as concerns that particular parish, some improvement has been effected by the choice of more proper persons to the vestry, yourself being one?—It has; but the endeavour to improve has been such an up-hill fight as no one perhaps would willingly undertake, certainly not unless he had some independence behind him, for there is a great deal of offence arising out of it amongst neighbours.

6908. Do you think that the obstructions you met with arise from an unwillingness to incur expense for fear of increasing the rates, or from any interest that the members of the vestry have in keeping up the present state of things?—Both. Very recently the Reverend Chairman, the rector of the parish, said: "I have been twitted at the other end of the town with our being badly managed here, because we have so many persons interested in bad property. Now I should like to contradict that, if I could." One member then rose, and said: "I can contradict it. As far as I know, and I am a collector of taxes, there is not a single person here who is so interested." I thought it my duty to write a note to the rector on the following day, to tell him that he had better not use the information that was so given to him, because at that very time there were before him eight persons at least who were owners of poor property, and some of them obstructors. One other thing that I complained of was that members of the vestry should have used their influence while members to become paid officers afterwards. I thought the thing was impure, and that it might lead to gentlemen appointed on the vestry using their influence and canvassing for offices, and so perhaps to that extent not carrying out thoroughly what they were elected for. There were two members of the board who are now so appointed. I have always objected to that, not in any unpleasant spirit, but because I think it is wrong.

6909. What would you recommend by way of remedy for these evils. Would you recommend a change in the mode of constituting the local boards, or the substitution of anything else for the present vestry system?—I published a pamphlet entitled "London Vestries and their Sanitary Work," at my own expense, and circulated it at my own expense. The Metropolitan Sanitary Association requested me to read a paper on the same subject, which has also been published. I have endeavoured to show that the extension of disease amongst the poor is partly owing to neglect in the locality, and partly to neglect in the arrangements; and I have stated in one of the pamphlets that there must necessarily be, in order to counterbalance the self-interests which are at work in small bodies, some power behind, readily to be got at, to which you can appeal, to compel the local body to do its manifest duty.

6910. Of what nature do you think the body should be to which the appeals should lie?—I think it should not be a controlling, over-riding body, to destroy local representation or local power altogether; but that if, for instance, a respectable minority in a vestry, or even a considerable number of ratepayers outside, who felt that their body, whether elected properly or not, were not carrying out their duties in a proper spirit, there should be a central body of a fully over-riding power in that matter, to come down and insist upon the local authority doing its duty according to law, or else to do the work itself and charge it to the local authority.

6911. Have you turned your consideration to the question of how this controlling body should be composed, or by whom it should be appointed?—I do not think it should be the Metropolitan Board of Works, because I can see plainly the pressure put upon the representatives of the different vestries who form that Board. With regard, for instance, to a first-class water supply, which is so much wanted in the metropolis, I can fancy that the various interests in these bodies might influence the members and prevent the public good that we should expect; I would rather have a body to be called upon only now and then. I think it should be a Governmental authority, such an office as might come out of the Privy Council.

6912. A kind of department of health in the general government, or would it include other subjects besides public health?—I only profess

to

to understand the question so far as it interferes with public health. I should wish to put in a paper that I have published privately. We had in our parish no long time since, great difficulty in getting the appointment of another officer, and there appeared to be no chance of its being done. Mr. Pocock, one of the chairmen, went round with me one afternoon, and we spent four hours in visiting the houses of the poor. We went through the parish without selection, and I have in this paper given the result, and stated the reasons for contradicting the assertions of the vestry at that time in their agenda paper, in which they endeavoured, as I thought, to whitewash themselves, and give themselves a fair character before the public, they having been assailed. I have given the reasons and the statements of the people whom we visited, and 90 out of these 100 houses were in a most wretched condition.

6913. Mr. *Locke.*] When was that?—In February 1865. I was not then a member of the vestry, and for that reason a member of the vestry went round with me. I printed this report, and sent a copy to every member of the vestry. Since then I have been elected a member of the vestry, and it is since that that we have had our new officer appointed. I believe the same state of things exists in most parishes in London. They have not been officered anything like sufficiently for the purpose of examining the houses of the poor. In the paper which I read before the Metropolitan Sanitary Association, I stated: "In my parish we have had, until now, but one inspector. We have 4,800 houses farmed to the poor-rates, all of them probably inhabited by two or more families, most of them a family to a room, and consequently overcrowded, and requiring frequent supervision and inspection; the people, moreover, being ignorant, and therefore requiring frequent visiting and advising. In the next parish to mine are 8,603 farmed houses, and but one inspector. In May 1865, according to a return I have, the City of London, St. Pancras, Marylebone, Islington, Lambeth, had each but two inspectors; St. Leonard's, Shoreditch, only one. Of course, it is impossible to do the work, and get rid of fever-producing causes in this way. I have here vestry lists of cases for sanitary improvement. With one inspector, who gave but part of his time to sanitary work, average of two lists of places requiring work to be done, 31. After the appointment of one additional active inspector, average of two lists 315 cases. Those 315 cases as much required attention when we had but one inspector, who visited but 31, as they did subsequently. We worked on through a great deal of obloquy for a year or two before we could succeed in getting this inspector appointed; and in the present state of things we no doubt want more inspectors all over the Metropolis. This is not a question of a defect in the law. These bodies have the power of appointing inspectors; but when inspectors are appointed, it of course brings a large amount of work in low property, and expense and trouble are incurred; therefore, the easiest way to avoid it, is NOT to have inspectors enough, so that the work may NOT be found out. The poor have not water enough, and what they have is filthy and likely to produce bowel complaints, fevers, and so on. Their back yards are, as a rule, unpaved and filthy, and the drains are out of order. All yards in such a place as London where gardens cannot prosper, should be well and completely flagged. The overcrowding exists to such an extent that the poor cannot by any possibility do other than breed disease, and when they breed it they give it to others. There is one case I may mention that occurred only recently. I went and inspected it, because I had had information on the subject from Dr. Jeafferson of the Fever Hospital. On July 29th 1864, a case was received into the Fever Hospital from Langsdown-street, Kent-street, No. 11. In August, cases were taken there from Nos. 31, 37, 38, and 39; in September, from Nos. 13, 18, 19, 31, 44, and 45; in October, from No. 4; in December, from Nos. 12 and 21; in January, from No. 16; in February, from No. 25; in March, from Nos. 36 and 22. These were cases of fever that were taken out of this one place month after month, and sent by the Guardians to the Fever Hospital; and when I visited the place the last month there had positively been nothing done at all by our inspector, nor do I think that it had even been seriously inspected. These cases are only a few that came under my notice as having been admitted into the Fever Hospital; there were other cases, and many persons died, among the rest fathers of families, whose wives and children were brought upon the poor-rate; so that great expense was incurred. Moreover, there is a large school close to these houses in which the children of the district are brought by hundreds to be educated, they are of course ready to receive this pestilence, and to convey it in their respective homes. But the great defect with respect to this matter is that, under the Poor Law, there is no provision for giving us any information. When I was a guardian, I moved for information upon that point, but I did not obtain it. The following is an extract from my pamphlet: "November 4th 1863; I did myself move, impressed with the unusual continuance and prevalence of fever among us, at the Board of Guardians, the following resolution, which was, I believe, carried unanimously: 'That the clerk write to the district medical officers, and request that they will be pleased to send weekly to the Board, in writing, the name and address, in the case of every parish patient visited at his or her own house, where, in the opinion of the medical officer, the bad state of the premises stands either as the cause of disease or as retarding recovery.' This was acted upon for a short time, and then speedily became a dead letter; I stated this before the Poor Law Board. On the 6th June 1863, impressed with the fact of increasing fever, I moved the following, in our vestry committee: That each case reported in the death-register of the parish as typhus, shall be specially reported upon at each meeting of the committee, such report to comprise the condition of the premises, rooms, number of inhabitants to each room, probable causes of fever, when ascertainable, and measures taken, on suggestions made, for preventing the extension of the disease, and such other particulars as the medical officer may think necessary.'" I showed as I thought ample reasons why that should be, but the committee would not entertain anything of the sort, so that the fever went on, and since I moved that resolution in the committee we have had 1,000 cases of fever in the parish.

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6914. Mr. *Locke.*] How many inspectors have you now?—One inspector, an unwilling man, who is employed to execute works when ordered to be done; that is the old inspector; and we have one, a very zealous man, who simply inspects, and when he was appointed, which was very lately, it was a condition that when he inspected he should have nothing to do with the works, but simply find out that which was wrong, in order that we might order it to be put right.

6915. Have you three inspectors?—We have two; or, I should rather say, one and a-half, because the original inspector does not inspect much.

6916. Have the vestry taken more active measures to repress nuisances lately?—Yes, very lately. One of our local papers had a column, week after week, headed, "St. George-the-Martyr, Southwark. Neglect of Authorities:" or words to that effect. The character of the vestry was getting at stake, this, with my own work, and that of some of my friends inside the vestry, the vestry have been provoked into a little better operation; hence we have our new officer.

6917. The improvement began with this year?—Yes.

6918. It is a mistake on the part of one of the witnesses who says that there are three inspectors?—There is really only one and a-half for sanitary purposes.

6919. How many do you think there ought to be?—I think, with what we have before us, there ought to be three occupied entirely in visiting, and one thoroughly good man to see that the work ordered to be done is carried out; or two and two.

6920. Have you any complaint to make of the course taken by the sanitary committee after the reports are made to them?—Not now.

6921. I understand that Mr. Birt, who is your vestry clerk, states that an alteration has taken place?—I did not like Mr. Birt being appointed alone to represent the vestry, for he by no means represents the vestry. I moved that another vestryman should be appointed to represent the vestry before this Committee, namely Mr. Collinson, the representative of the Board of Works, but he said he could not give any time to it. However, it is the case, that an alteration has taken place as to the *modus operandi* of the sanitary committee. The sanitary operations are now much more zealous.

6922. But do you think they are effective?—They are beginning to be effective, but we have lost a wonderful amount of time.

6923. I understand your view is, that the sanitary committee, although they may perform their duties most efficiently, should have more to work upon; that is, that there should be more inspectors to bring before them all the cases that are worthy of their consideration?—Yes; in one place that I visited, the Scripture-reader told me (and I saw for myself, that it was probable) that the people had been nearly without water for two years. That place was a centre of fever. I saw their filthy little butts, butter firkins, destitute of water, and I saw a woman on her knees washing up privy soil from the yard. Those are the people who are charged with being unclean. These things had been so for two years. Now, it is clear that it ought to have been known, and that we ought to have an organization by which we should have known two years ago, that these persons were without the means of cleanliness.

6924. *Chairman.*] Was water obtained?—The water supply was badly arranged. It passed through a small insufficient pipe, so that the last persons got none, and the first persons only a limited supply for a short time. On the average our poor get about five gallons per head every day. That is not sufficient for water-closet purposes, cleansing the house, and things of that sort. Above all, they are not supplied with water at all fit for drinking.

6924*. Why is that?—I believe it is because the supply of water as laid down to these houses is insufficient.

6925. But with regard to quality?—It is a bad system under which it is supplied.

6926. Where does it come from?—Some from the Southwark Company and some from the Lambeth Company.

6927. Is not the water the same as that supplied by the company to everybody else?—The Lambeth Company supply these people with the same water that they supply me, but I have a clean cistern in a clean place. These people have small yards close to privies, dust heaps, and so on, and their butts are rotten, and in many cases uncovered.

6928. You mean that the water supplied to them is good enough, but when it is supplied it is not properly kept?—I do not think that the water is good enough. I am very careful about my own water with all the advantages I have. I boil every drop of water that we drink.

6929. Do you mean that the water supplied by the company is not fit for consumption?—I mean that the water supplied by the companies above Teddington Lock receives the excreta of some 50 or 60 towns.

6930. Do you mean to tell the Committee that the water supplied by these companies is not fit for consumption?—I am speaking of the water as it reaches the poor people; as they practically drink it.

6931. I am speaking of water supplied by the company?—As it reaches me I consider it is not sufficiently pure for my purposes, without certain precautions.

6932. I am asking whether the water supplied by the company is, in your opinion, not fit for consumption?—I say it is not, and therefore I take precautions.

6933. Have any persons made any representations under the Act for regulating the water supplied in your parish?—In the neighbouring parish they have, not in ours.

6934. They have not made any representation on the subject in your parish?—The water companies have been communicated with, and informed that it is well to look to their filters.

6935. No representation has been made against them under the Act?—No; but such a representation has been made in the neighbouring parish of Bermondsey.

6936. But, at all events, the richer persons in the parish are, as far as their own action is concerned, satisfied with the water supplied. It is not a matter peculiar to the poor?—It is a matter peculiar to the poor.

6937. Why is it a matter peculiar to the poor, if the rich are supplied with the same water?—

The rich get a good supply, because they have proper apparatus in every respect.

6938. But I am asking you about the quality of the water?—The quality has been turbid.

6939. But the quality supplied to rich and poor is the same?—No; because of the medium through which it passes.

6940. I mean the water supplied by the company?—I do not know how it comes originally from the company; I know it only as it issues from the pipes.

6941. But the company supply the same to the rich as to the poor?—I have no complaint particularly against the company.

6942. I understood you to say that the water supplied by the company was unfit for consumption; surely that is a matter of complaint?—That is out of their control, I take it.

6943. But surely it is a matter of complaint?—I do not complain of that.

6944. It is the same supply to rich and poor as regards the company?—Perfectly the same.

6945. Then none of the wealthy or intelligent inhabitants have yet made any complaint against the company?—I have myself; I have said that the water is turbid.

6946. Have complaints been made under the Act regulating the water supply?—Not in my parish, but a complaint was made in the neighbouring parish, and a gentleman came down from the Board of Trade.

6947. What was the result?—I cannot say; I believe it was somewhat amended.

6948. If the water was amended to them I presume it was to you also?—I think it was more in quantity and I think not so turbid, but I cannot say distinctly.

6949. Do you know what the complaint was?—I think it was quantity, or quality, or both.

6950. And you do not know the result?—The result has been somewhat amended, but the conditions are such that it cannot be altogether amended under present circumstances.

6951. With regard to the mode in which people have to deal with the supply when they receive it, what means are taken to receive the water; is it received in cisterns in the poorer houses?—In some of the poorer houses, of which there are about 5,000 in the parish, there are no means of receiving it at all. In one large street there is scarcely a thing to receive it in, and the people use dishes and sometimes put the water under the beds in their close rooms.

6952. There is a tap from the main without any receptacle to draw the water in?—In many cases.

6953. And the water is not continuously laid on?—It comes on for half-an-hour or so only.

6954. Are you aware that under an Act of Parliament you have power to remedy all that?—Yes.

6955. Have any steps been taken to do that?—We are continuously acting a little, but we are years before we find it out. That is one defect in our organisation.

6956. Have any steps been taken to insist on having the water laid on longer in this place?—Not longer; but every time we meet we are ordering the owners of property to have larger vessels and larger supplies; larger and more wholesome butts, covered up and kept clean. I have been empowered by the vestry to write a report on the water supply generally, and I have done so. I wish to hand it in. (*The same was handed in.*—Vide *Appendix.*)

6957. Have you taken into consideration the expediency of removing people from houses when they are overcrowded?—It has been my constant endeavour to do so.

6958. What is to be done with the people if they are forcibly taken out of the houses?—We have always found it very practicable to work amongst these people, partly with the law, but mainly by good feeling; showing them that it is really to their advantage, if there is a person attacked with an infectious disease, to allow us to take him away somewhere else, where he will be well treated. I should like also to have the power of taking those people who are healthy out of an infected house, and give them the opportunity of keeping themselves uninfected, which cannot be done now.

6959. Would you take them out by force?—I do not like the word force.

6960. But, if they do not choose to go, would you take them by force?—In the very lowest houses, rather than an obstinate family should endanger the lives of three other families in the same house, I would take them out by force.

6961. What would you do with them?—I think there is a provision under an old Act of Parliament, the Labouring Classes Lodging House Act, 1851, by which local bodies are empowered to have lodging houses to which such persons might be removed.

6962. Would you take a lodging for them and put them into it?—I think that would be the cheapest way for the locality.

6963. Who will pay the rent of the lodging?—The Act empowers the local authority to take the rent as the landlord did in the house from which they were removed.

6964. To make the people put into lodgings forcibly pay the rent?—If a member of a family is taken to the Fever Hospital, rather than let the others take the fever in that room, I would remove them to some other place, and they should understand that they would have to pay about the same rent for the new place where they would live in comfort and safety as they paid for the other. I should feel myself justified in forcing this upon them, on account of the danger of their presence to others in an overcrowded house.

6965. The parish would collect the rent from them?—Yes.

6966. How long would that last?—Until the room from which they have been removed is well cleansed and ventilated (which will take 10 or 12 days), when they would be free from all risk of catching the fever.

6967. Then you would put them back again?—If they liked to go.

6968. That is in cases where there is actual contagious fever. I am now asking with reference to cases where there is no contagious fever, but where in the estimation of somebody the people are living in a too crowded state?—From the scarcity of dwellings, I do not think we are in a condition to deal with that subject fully at present. I can only take cases where a positive evil has arisen.

6969. You think it is impracticable for the local authorities to sit in judgment on the arrangements which the people make for living together,

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and to take them forcibly out of their houses if they think there are too many in one house?—I think the evils of the present mode of living together are immense. In the report of one officer of health of the City there are 131 cases mentioned in which people are living in this way: four women and one man in a room, or three women and one man, or the like, adults, and growing-up children, sleeping in the same room. I think we should be justified in using very strong measures in behalf of these people on the ground of public morals and public health, so as to reduce the evil as far as possible.

6970. Do you think you could go beyond moral means in dealing with that evil, or can you suggest any arrangements by which some person or other should be a censor of these people, so as to regulate the number of persons who are to be in a room, and who should be in the same room, or in other rooms?—According to the present supply of dwellings, and the present number of people, it would be impossible to do that to any great extent, however desirable it might be. I would have a good inspector (we have such an one), with good tact and kindliness in managing people, and they are wonderfully well managed if you are kind to them, so as to equalize the number of persons in the dwellings, some being partly empty and some full; and meantime we might get dwellings erected, as for instance under the propesed Labourers' Dwellings Act. All this would be for their own good, as they would be constantly told.

6971. Would you give the power of doing this by force, or simply have a moral agent to point out to them that this person had better live here, and another there, leaving them to do as they thought best?—I would go no further than this: where I found a positive evil arise, especially with reference to disease (I am not dealing with morals now, however much I may think of them), in which I could say, "This case has arisen from there being too many people in the room; others will probably get ill" (not from infectious diseases only), the inspector should inform the local authority, and the local authority should have power to act according to their discretion in the matter.

6972. Would you confine it to infectious diseases; if a man has a broken leg, for example, would you insist upon his being carried somewhere else?—No, unless I felt that the air of the place was so likely to influence him, as a poor man, that he would from that cause not be likely to get well enough to provide for his family. There are certain cases of consumption in which this power might be exercised.

6973. Is that infectious?—It arises, among other causes, from a bad state of the air.

6974. I think there is some reason for believing that consumption is infectious?—I am generally accustomed to say, that where a wife has consumption, it would be well for the husband to sleep in another room, or, at any rate, sleep with his back to her.

6975. It is a common occurrence, is it not, in the case of husband and wife, for one to infect the other with consumption?—Yes, I have a case now, in which I believe it is proceeding from an unhealthy woman to a healthy man.

6976. You think that the power of interfering by force, that is, by law, should be confined to those cases which are in their nature infectious, directly or indirectly?—I think that until we have time to get these things ready, we must compromise with these evils and take the worst of them for immediate amendment. The evils existing at the present time are enormous, and anything that could be done within our constitution in this country ought to be done, even with a stretch of power.

6977. Do not those evils arise mainly from a total separation of the classes of society in the Metropolis, these poor people being cut off from the moral agencies of society?—I believe that has a great deal to do with it. I should object to classifying people in small villages or on the borders of towns, for instance, just as I should object to churches being kept—some for rich people and some for poor people. I should like them all mixed together in a proper way.

6978. Is not that the proper remedy for this evil, that the influences of other classes should penetrate among them rather than that they should be given up merely to the force of law, to be made to live under restraint?—I do not think that the two means are inseparable, but the evils are so enormous. When I tell you that we have had a thousand cases of fever in our parish, which have spread from one to another, I think you will say that that would have warranted a considerable stretch of power to separate the seed case from the others. The people would have been glad of it afterwards when they came to see what good had been accomplished by a little gentle force, which would not, of course, preclude the operation of moral agency. I think it is a great evil that some of these courts should be blind courts, with no thoroughfare through them, so that when the people are in their nooks nobody ever sees them.

6979. Do you think that there is any feeling, in grappling with these evils in the parish, that the wealthier classes of society, not only do nothing personally towards remedying them, but do not even contribute, in legal rates towards the funds for remedying them, their full quota with the people in your neighbourhood?—That is an open question, and a very serious one in our parish. In 1838 the poor-rate was only 11,000*l.*, in 1864 it was 24,000*l.* When it is remembered that nearly 5,000 houses out of 8,000 are inhabited by many families to a house, it will be seen that it is almost impossible to call upon the better class of people, who are in comparison so few, to contribute more than they are already contributing for the welfare of the neighbourhood, they are fully taxed in proportion already: but that opens the question of equalization.

6980. Does not that influence them very much when they see other parts of the town relieved from this influx of poor people, and not paying an equal quota of poor-rate?—We are very angry about that. We find that while the poorer sort of people are paying 4*s.* in the pound the rich are paying 6*d.* or 7*d.* towards the poor. As a parish surgeon, I have had frequently to attend the servants of these richer people, who are sent down to the poor parishes when they get ill, and then come upon our poor-rates. But the extent of such a charge as this renders it difficult for us to raise money for local purposes, which we might raise, if we were relieved and equitably taxed, for other purposes as well as for the poor.

6981. This

6981. This aggregation of evil in your parish becomes difficult to grapple with with the small resources at your disposal?—Yes; and I make great allowance for the unwillingness of local authorities in poor districts on that account.

6282. Do you think that if the resources of the Metropolis were brought to bear upon these *foci* of disease, and then upon particular localities, they would be equal to the task of remedying them?—I believe, if you have an equalization of charge for the poor all over the Metropolis, it would produce a vast amount of benefit as regards the poor, and that there would be less poor to deal with afterwards. At present a parish like mine can scarcely give 7 *d.*, or 10 *d.*, or 1 *s.*, to keep a poor widow afloat, so that she is always floundering about with her head under water, in misery and poverty; the children are brought up in the same way; but if we could relieve them properly, and cleanse their homes properly, a great many of them would be brought into a better state of things. (*The Witness handed in the document*—Vide *Appendix.*)

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APPENDIX.

Appendix, No. 1.

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The following are the Registration Districts of which each new city and borough would be composed:—

London City would comprise the districts of East London, West London, and London City, the Charterhouse, and that part of St. Sepulchre's parish which is now included in the Holborn district (the other part of St. Sepulchre's parish is already within the City boundaries).

Westminster City would comprise the Strand, St. Martin's, St. James's, St. George's (Hanover-square), and Westminster districts.

Kensington borough would comprise Chelsea district and the sub-districts of Fulham, St. Peter (Hammersmith), St. Paul (Hammersmith), Brompton, and Kensington.

Marylebone borough would comprise the sub-districts of St. John, and St. Mary (Paddington), and the districts of Marylebone and Hampstead.

Bloomsbury borough would comprise the districts of Holborn (minus the Charterhouse and part of St. Sepulchre's), St. Giles, and St. George's (Bloomsbury), and St. Pancras.

Finsbury borough would comprise the districts of St. Luke's (Clerkenwell) and Islington.

Hackney borough would comprise the districts of Hackney, Shoreditch, and Bethnal Green.

The Tower Hamlets would comprise the districts of Whitechapel, St. George-in-the-East, Mile End Old Town, Stepney and Poplar.

Lambeth borough would comprise the districts of Wandsworth and Lambeth.

Southwark borough would comprise the districts of St. Saviour's, St. Olave's, and St George's (Southwark), Newington, Bermondsey, Rotherhithe, and Camberwell.

Greenwich borough would comprise the districts of Greenwich and Lewisham.

The following Table shows the manner in which the Population Tables of 1861 might be arranged, so as to admit of a Comparison being made with those of 1871 under the proposed new System:

	Population.	
	1861.	1871.
London City.		
Cripplegate	19,607	—
St. Botolph	20,990	—
Bank	11,544	—
Bridge	8,659	—
Guildhall	9,020	—
St. Paul's	16,332	—
Smithfield	16,614	—
Farringdon	15,526	—
Westminster City.		
Soho	17,426	—
Strand	20,318	—
St. Martin's	27,843	—
St. James's	35,326	—
Grosvenor	32,658	—
Knightsbridge or Belgrave Pimlico	55,113	—
St. Margaret	30,730	—
St. John	37,483	—
Kensington Borough.		
Sloane-street Chelsea	63,439	—
Fulham	15,539	—
Hammersmith	24,519	—
Brompton	18,198	—
Kensington Notting Hill	51,910	—
Marylebone Borough.		
Bayswater	36,769	—
Paddington	39,015	—
Bryanston	22,493	—
Portman	26,692	—
Cavendish	15,090	—
Langham	29,952	—
Blandford or Lisson Grove	34,913	—
St. John's Wood	32,540	—
Hampstead	19,106	—
Bloomsbury Borough.		
Holborn	39,948	—
Bloomsbury St. Giles	54,078	—
Gray's Inn-lane	27,898	—
Tottenham Court-road	29,371	—
Somer's Town Regent's Park	141,609	—
Camden Town Kentish Town		

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	Population. 1861.	1871.
Finsbury Borough.		
Finsbury	27,709	—
St. Luke's	29,364	—
Clerkenwell, Pentonville, Islington, Barnsbury, Canonbury, Highbury, Holloway	65,639 / 155,341	— / —
Hackney Borough.		
Stoke Newington, Kingsland, Hackney	83,295	—
Haggerstone	40,570	—
Hoxton	52,293	—
Shoreditch	36,501	—
Hackney Road, Bethnal Green	73,312	—
Victoria Park	31,789	—
Tower Hamlets Borough.		
Spitalfields	35,479	—
Whitechapel	43,491	—
St. George-in-the-East	48,891	—
Mile End Old Town, Western.	33,747	—
Mile End Old Town, Eastern.	39,317	—
Shadwell	29,411	—
Limehouse	27,161	—
Bow	35,667	—
Poplar	43,529	—

	Population. 1861.	1871.
Lambeth Borough.		
Putney	6,481	—
Wandsworth	13,346	—
Battersea	19,600	—
Clapham	20,894	—
Streatham	10,082	—
Waterloo	33,909	—
Lambeth	49,381	—
Kennington	51,225	—
Brixton	20,067	—
Norwood	7,462	—
Southwark Borough.		
St. Saviour, Southwark	36,170	—
St. Olave, Southwark	19,056	—
Borough	35,858	—
Kent Road	19,652	—
Newington	37,757	—
Walworth	44,463	—
St. Mary, Bermondsey	33,201	—
St. James, Bermondsey	25,154	—
Rotherhithe	24,502	—
St. George, Camberwell	20,333	—
Peckham	28,135	—
St. Giles, Camberwell	23,020	—
Greenwich Borough.		
Deptford	45,973	—
Greenwich	40,002	—
Woolwich	41,695	—
Plumstead	24,502	—
Charlton or Blackheath	15,438	—
Lewisham	12,213	—
Sydenham	10,595	—
Eltham	3,009	—

BIRTHS and DEATHS registered and METEOROLOGY during the Week ending Saturday, the 21st day of April 1866, in the following large TOWNS.

BOROUGHS, &c.	Estimated Population in the middle of the Year 1866.	Persons to an Acre (1866).	Births. Corrected Average Weekly Number.	Births. Registered during the week ending 21 April.	Deaths. Corrected Average Weekly Number.	Deaths. Registered during the Week ending 21 April.	Temperature of the Air. (Fahrenheit.) Highest during the Week.	Lowest during the Week.	Weekly Mean of the Mean Daily Values.	Rain Fall. In Inches.	In Tons per Acre.	Temperature of the Air. (Centigrade.) Highest during the Week.	Lowest during the Week.	Weekly Mean of the Mean Daily Values.	Rain Fall per Hectare in Metric Tons.
TOTAL of 13 large Towns	6,122,894	34·4	4,214	4,606	3,014	3,403	66·4	33·0	49·1	0·30	30	19·11	0·56	9·50	76
London (Metropolis)	3,067,536	39·3	1,983	2,244	1,400	1,517	66·4	38·9	50·8	0·36	36	19·11	3·83	10·45	91
Bristol (City)	163,680	34·9	105	125	73	85	60·9	40·8	49·9	0·06	6	16·06	4·89	9·94	15
Birmingham (Borough)	335,798	42·9	263	251	163	182	60·8	41·2	50·4	0·09	9	16·01	5·11	10·22	23
Liverpool (Borough)	484,337	94·8	328	387	281	332	55·8	41·5	50·5	0·27	27	13·23	5·28	10·28	69
Manchester (City)	358,855	80·0	268	271	203	247	63·5	35·0	49·7	0·14	14	17·50	1·67	9·83	36
Salford (Borough)	112,904	21·8	84	97	57	75	60·0	36·0	48·8	0·19	19	15·56	2·22	9·34	48
Sheffield (Borough)	218,257	9·6	178	191	115	124	60·5	37·5	47·9	0·17	17	15·84	3·06	8·83	43
Leeds (Borough)	228,187	10·6	170	189	116	145	62·3	33·0	49·7	0·07	7	16·84	0·56	9·83	18
Hull (Borough)	105,233	29·5	69	80	49	49	—	—	—	—	—	—	—	—	—
Newcastle-on-Tyne (Borough)	122,277	22·9	85	84	65	67	57·0	37·0	47·7	0·22	22	13·89	2·78	8·72	56
Edinburgh (City)	175,128	39·6	111	124	84	83	58·7	36·0	46·3	0·60	61	14·83	2·22	7·95	152
Glasgow (City)	432,265	85·4	352	373	252	299	57·0	37·2	47·1	0·93	94	13·89	2·89	8·39	236
Dublin (City and some suburbs)	318,437	32·7	218	190	156	198	60·5	39·2	50·1	0·52	53	15·84	4·00	10·06	132
	(1863.)					Week ending 21st April 1866.	Week ending 21st April 1866.					Week ending 21st April 1866.			
Vienna (City)	560,000	—	—	—	—	—	—	—	—	—	—	—	—	—	—

App. No. 1.

TABLE showing the Rating in the Pound for the Relief of the Poor, &c. in the undermentioned Districts.

DISTRICTS.	Amount given in Poor Rate to £1. of Rated Property, 1840–41. (5th Rep. p. 432.)	1855-6. Rate in the £. of the Relief to the Poor on		Average Annual Deaths to 1,000 Living.		
		Gross Estimated Rental.	Rateable Value.	1841–50.	1851–60.	Mean. 1841–60.
	s. *d.*	*s.* *d.*	*s.* *d.*			
Bermondsey	3 3	2 3¼	2 8	28	26	27
East London	2 10	2 9½	3 5¾	27	27	27
West London		2 11½	3 7¼	29	25	27
Bethnal Green	2 9	1 7¾	2 9	25	23	24
St. George, Southwark	2 8	2 2	2 10¼	30	27	28
Shoreditch	2 4	1 10¼	3 2	27	24	25
Greenwich	2 4	1 8	2 –½	27	24	25
Newington	2 3	2 –¼	2 6¼	26	24	25
Stepney	2 –	1 8½	2 3¾	25	26	26
Rotherhithe	1 11	1 10½	2 4¾	28	25	26
Lambeth	1 11	1 8¼	2 –½	25	23	24
St. George-in-the-East	1 11	2 4	3 3	29	29	29
St. Saviour	1 10	1 11¼	2 6¼	30	29	29
St. Olave		1 11¼	2 5			
Whitechapel	1 9	2 –¾	2 6¾	29	28	28
Camberwell	1 8	1 –	1 3½	24	23	23
Holborn	1 8	1 8½	2 –¼	26	26	26
St. Luke	1 7	1 9	2 3¼	27	27	27
City of London	1 7	1 2¼	1 5¼	22	22	22
Hackney	1 5	1 –¼	1 2½	19	19	19
Strand	1 5	1 4	1 7¼	24	24	24
Clerkenwell	1 4	1 5	1 10	24	23	23
Poplar	1 3	1 2¼	1 7¼	22	24	23
St. Giles	1 3	1 –½	1 3¾	26	28	27
Kensington*	1 1*	1 –½	1 2¼	20	19	19
St. Pancras	1 1	1 1¾	1 3¼	23	22	22
Westminster	– 11	1 8¼	1 10¼	27	26	26
Marylebone	– 11	1 1¾	1 3¼	24	24	24
St. Martin-in-the-Fields	– 11	1 1	1 5¼	24	23	23
St. James, Westminster	– 10	– 9¼	– 10½	22	23	23
Islington	– 8	– 7¾	– 9¾	19	21	20
St. George, Hanover-square	– 6	– 6¼	– 6¾	19	19	19
Chelsea* (Parish)	- -	1 2	1 10¾	25	25	25
Fulham (Union)	- -	1 9¾	2 6¼	—	—	—
Hampstead	- -	– 11½	1 2	18	17	17
Paddington (Parish)	- -	– 5	– 6	—	—	—
Wandsworth and Clapham (Union).	- -	1 1¼	1 6	19	20	20
Lewisham (Union)	- -	– 8½	– 10	17	18	18

Extracted from Parliamentary Paper on Poor Rate, No. 491, Session of 1861.

* Chelsea was separated from Kensington on 7 July 1841.

Appendix, No. 2.

App. No. 2.

PAPERS handed in by Mr. *Begg*, 26 April 1866.

RETURN of the Population, the Number of Rateable Houses, the Amount of Property Tax, the Rateable Value upon which the County and Police Rates are levied, the Poor Rates as per Valuation Lists, and the Number of Representatives at the Metropolitan Board for the undermentioned Parishes.

NAME of PARISH.	Population.	Acreage.	Number of Rateable Houses.	Property Tax, 1865.	Rateable Value upon which County and Police Rates are levied.	Poor Rate, as per Valuation Lists.	No. of Representatives at Metropolitan Board.
				£.	£.	£.	
St. Anne, Soho	17,426	53	1,369	105,791	96,236	82,208	18
St. Clement Danes	15,592	44	1,560	104,750	95,676	81,581	15
St. Mary-le-Strand	2,072	22	210	17,676	17,956	15,917	3
St. Paul, Covent Garden	5,154	26	570	54,067	49,020	42,055	9
The Liberty of the Rolls	2,274	11	300	21,219	18,808	16,862	3
St. John, Savoy	380	11	67	10,176	9,112	8,264	1
Extra Parochial Places	81	–	–	—	—	—	—
	42,979	167	4,076	313,679	286,808	246,887	49

ANALYSIS of EXPENSES of STRAND DISTRICT BOARD of WORKS for Year ending 25 March 1865.

PAYMENTS.	Metropolitan Board.	Expenditure upon District.	Establishment Expenses.
Sewer Expenses.	£. s. d.	£. s. d.	£. s. d.
Precept of Metropolitan Board	3,207 3 10	—	—
Cleansing and Repairs of Sewers	–	583 2 2	—
Connecting Private Drains	–	5 6 10	—
Urinals and Repairs, and Wages of Attendants	–	161 19 4	—
Main Drainage Rate.			
Metropolitan Board	3,585 3 –	—	—
Paving.			
Repairs to Foot and Carriage Ways	–	1,581 9 3	—
Lighting.			
Gas, New Lamps, Lamp Cleaning, and Repairs	–	2,912 17 2	—
Cleansing.			
Street Orderlies' Wages and Dust Department	–	2,487 5 4	—
Watering.			
Hire of Horses and Carts, and Cost of Water	–	446 14 4	—
Sanitary.			
Salary of Officer of Health	–	–	150 – –
Whitewashing Courts, removal of Nuisances, &c.	–	68 14 11	—

App. No. 2.

PAYMENTS.	Metropolitan Board.	Expenditure upon District.	Establishment Expenses.
	£. s. d.	£. s. d.	£. s. d.
Establishment.			
Salaries of Officers	- -	- -	955 4 -
Rent, Rates, Insurance, and Interest on Loan	- -	- -	342 1 2
Furniture, Fittings, and Office Repairs	- -	- -	4 2 6
Books, Printing, and Stationery	- -	- -	120 12 2
Miscellaneous House Expenses	- -	- -	70 7 2
Loan Account.			
Repayment of Seventh Instalment of Loan of 4,000 *l.*	200 - -	—	—
Special Expenditure.			
Expenses of Vestries	- -	- -	938 19 5
Compensation to Officers of late Paving Board	117 10 -	117 10 -	—
St. Marylebone.			
Orders for Expenses of Oxford-street	1,740 - -	1,740 13 8	—
Law Costs.			
Marylebone *v* Strand District Board	- -	- -	566 13 1
£.	6,792 6 10	10,305 13 -	3,147 19 6

TOTAL Amount - - - £. 20,245 19 4

The amount of 6,792*l.* 16*s.*, which is paid to the Metropolitan Board, is simply collected by the Strand District Board and paid over.

It will be seen that after deducting this amount, there is an outlay of 3,147*l.* upon establishment expenses, the expenditure upon the necessary works in the district being little more than 10,000*l.* One or two of the amounts may require explanation.

The sum of 955*l.* 4*s.* has to be repaid to the different vestries, to defray the expenses of local management, as special provision is not made to meet these expenses. The whole sums collected are paid into the account of the Strand District Board, and then the sums required by each vestry are repaid to them. It is not properly an expense of the Board, but has to be paid out of the rates levied upon the district.

The sum of 200*l.* is a repayment. The sum of 4,000*l.* was borrowed for the erection of the Board offices, to be repaid by annual instalments of 200*l.* upon the principal, and the interest. The interest is charged among the establishment expenses, and the 200*l.* towards the principal is made a matter of separate account.

The amount of 1,740*l.*, paid to Marylebone on account of expenses in Oxford-street, is more than is due to any one year. There was a dispute between the Marylebone Vestry and the Strand District Board, which resulted in a verdict against the latter, and during the years of litigation no amount was paid. This will account for the largeness of the sum paid in this year, and also for the amount of 566*l.* which appears as law expenses. The following are the amounts paid to Marylebone for the Oxford-street expenses:—

	£. s. d.	
1857 - - - - -	436 10 -	Average for each year, 296*l.* 18*s.* 8½*d.*
1858 - - - - -	174 2 -	
1859 - - - - -	169 19 3	
1860 - - - - -	360 13 -	
1861 - - - - -	197 19 -	
1862 - - - - -	210 8 9	
1863 - - - - -	191 1 8	
1864 - - - - -	634 16 -	
TOTAL for the eight Years from 1857 to 1864 inclusive - - £.	2,375 9 8	

		£. s. d.
TOTAL Amount of Expenditure - -	1864 - -	20,040 14 4
	1865 - -	20,245 19 4

Appendix, No. 3.

App. No. 3.

PAPERS handed in by Mr. *Hare*, 10 May 1866.

Form of the Proprietary Voting Paper.

Parish of St. Clement Danes (or Strand Ward) Collectorate A. No. 3.

Name of the Corporation, Company, or Person	The Law Insurance Society.
Address	60, Strand.
Amount of Proprietary Vote	Three hundred and fifty pounds (£. 350).

This vote is to be appropriated to the candidates respectively first named in each of the following lists, unless the votes previously recorded for them respectively shall have been sufficient to complete the quota; and in that case the vote, or any surplus value thereof, is to be appropriated to the candidates respectively hereinafter named next in succession in the same list, whose quota shall be incomplete.

For the Council of the City of Westminster (or Strand District Board, or Strand Ward).		For the Metropolitan Council.	
1	Joseph Blake.	1	Henry Bidgood.
2	William Greennell.	2	William Tite.
3	William Garrett.	3	Thomas Finnis.
4	Thomas Lott.	4	
5	Thomas Newton.	5	
6	Charles Crane.	6	
7		7	
8		8	
9		9	
&c.		&c.	

By order of the Directors of the Law Insurance Society.

———— Secretary.

Alphabetical Index and List of Proprietary Voters of the Parish of *St. Clement Danes.*

NAME OF VOTER.	Collectorate.	Number of Voter.	Annual Value.
			£.
Atkins, James	A.	4	410
Bride's, St., Parishioners of	A.	5	400
Christ's Hospital, Governors of	A.	2	50
Clark, Samuel	A.	1	70
Dunstan, St., Vicar of	A.	4	300
Edwards, Arthur	A.	2	20
Franks, William	A.	5	20
Jones, John	A.	1	30
Law Insurance Society	A.	3	350
Long, Thomas	A.	5	120
Merchant Taylors' Company	A.	6	300
Nunn, Samuel	A.	8	80
Smith, Henry	A.	2	20

Alphabetical Index and List of Occupying or Rated Voters in the Parish of *St. Clement Danes.*

NAME OF VOTER.	Collectorate.	Number of Voter.
Atkins, James	A.	4
Baker, Charles	A.	5
Collins, Frederick	A.	5
Jones, John	A.	1
Nunn, Samuel	A.	6
Reeve, Henry	A.	7
Smith, Henry	A.	2
Williams, George	A.	3
Wood, Edward	A.	2

FORM of LIST of VOTERS, prepared from the House-to-House Visitation of the Rate Collector, and from Claims of Owners to Vote, each Collectorate in the Parish, District, or Ward being distinguished by a different Letter or Number.

PARISH of ST. CLEMENT DANES [or STRAND WARD], Collectorate A.

No. of Voter in Collector's Register.	Description of Property.	Annual Rated Value.	Tenant or Occupier.	PROPRIETARY VOTERS.			
				Ground Landlord.		Sub-interests.	
				Name.	Annual Value.	Name.	Annual Value.
		£.			£.		£.
1	House, 18, Essex-street	100	John Jones -	Samuel Clark - -	70	John Jones -	30
2	House, 19, Essex-street	90	Henry Smith -	Governors of Christ's Hospital.	50	Henry Smith -	20
2	- ditto - - -	-	- - -	- - - -	-	Arthur Edwards	20
2	Part of house, ditto -	-	Edward Wood	—	-	—	-
3	House, 60, Strand -	350	Geo. Willliams	Law Insurance Society -	350	—	-
4	House and shop, 61, Strand.	410	James Atkins -	Vicar of St. Dunstan's-in-the-West.	300	James Atkins	110
5	House and shop, 62, Strand.	250	Charles Baker	Trustees for the Parishioners of St. Bride.	400	Wm. Franks -	80
5	- ditto - - -	350	Fredk. Collins			Thos. Long -	120
6	House and shop, 63, Strand.	380	Samuel Nunn -	Merchant Taylors' Company.	300	Samuel Nunn	80
7	Part of house, 63, Strand	-	Henry Reeve -	—	-	—	-

Appendix, No. 4

App. No. 4.

PAPERS handed in by Mr. *Freeman*, 4 June 1866.

Parish of Kensington.

Eight miles and a-half of Brick and Pipe Sewers built and laid down in the Parish of Kensington, during Five Years ending March 1866.

Being—

17,579	feet of	3. 9 × 2. 6.
21,535	„	3. 0 × 2. 0.
2,452	„	18″ and 2′ 0″ barrel.
3,158	„	12″ stoneware pipe.

Number, Length, and Cost of new Streets made up and paved during Three Years ending March 1866.

63 streets.

30,437 feet = 5¾ miles, at the cost of - - - - - £. 16,224 6. 8.

Estimated length of Streets under the care and charge of the Vestry - 45 miles.

Kensington Vestry.

Statement of the Gross Expenditure of the Five Years, ending 25 March 1866, for the several Purposes undermentioned.

	£.
Paving works - - - - -	31,039
Road materials - - - - -	18,993
Lighting - - - - - -	37,681

Number of lamps lighted on the 31st March 1866 - - - 1,883

1 June 1866.

Analysis of the Vestrymen of the Parish of *St. Mary Abbotts, Kensington*, in the County of *Middlesex*.

Gentlemen - - - - - - - - - - -		29
Professional Gentlemen:		
Clergymen - - - - - - -	3	
Barristers - - - - - - -	2	
Parliamentary Agent - - - - -	1	
Solicitors - - - - - - -	3	
Architects and Surveyors - - - - -	3	
Physician - - - - - - -	1	
Surgeons - - - - - - -	2	
		15
Tradesmen - - - - - - - - - -		43
Total Number of Vestrymen - - -		87
Census of parish in 1861 - - - - - - -		70,000
Rateable value of property in 1866 - -	£. 627,954	
Estimated number of houses - - -	12,161	

Appendix, No. 5.

PAPER handed in by Mr. *H. Chester*, 18 June 1866.

ABSTRACT of the EXPENDITURE of the Parish of *Saint Mary, Newington*, in the County of *Surrey*, from the 1st January 1856 to the 25th March 1866.

	1857.*	1858.	1859.	1860.	1861.	1862.	1863.	1864.	1865.	1866.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Paving	70 14 8	2,343 14 1	3,041 2 6	2,610 9 5	2,908 15 6	2,861 1 7	2,887 4 –	1,605 14 8	785 3 10	3,779 16 9
Broken granite	1,952 17 –	2,187 18 7	1,587 13 7	2,057 18 5	2,604 2 9	3,510 6 11	3,246 7 1	3,118 12 3	3,591 11 7	3,872 4 –
Flints	849 11 9	1,041 16 11	306 18 9	375 17 6	395 10 8	615 16 –	668 16 5	609 12 9	543 14 3	553 16 6
Gravel	520 19 2	253 5 8	155 17 6	103 4 6	338 2 10	100 11 7	134 17 8	106 5 2	369 7 4	391 7 2
Horse hire and cartage (watering and cleansing included)	938 – 6	1,060 13 1	1,364 4 6	1,260 5 8	1,360 12 4	1,250 7 7	1,345 2 10	1,335 15 10	1,477 5 9	2,367 1 8
Smith's work and ironmongery	136 3 2	52 11 9	64 8 11	119 8 4	127 10 9	98 17 1	120 6 6	115 3 6	93 4 6	109 2 8
Carpenter's work	39 6 8	34 4 10	– – –	54 4 10	16 – –	– – –	46 16 3	50 9 5	—	—
Bricks, lime, and cement	95 7 6	104 – –	146 14 7	126 – 7	100 9 6	117 1 9	86 9 3	80 12 7	45 13 11	57 12 4
Plumbing and painting	12 10 –	– – –	10 2 4	31 – 1	11 10 10	– – –	– – –	7 2 6	—	—
Removal of dust	25 – –	119 18 –	184 8 3	110 – –	140 – –	115 – –	164 10 –	258 5 –	61 5 –	—
Fire escapes	10 10 –	60 10 –	50 10 –	50 10 –	50 10 –	50 10 –	50 10 –	50 10 –	50 10 –	50 10 –
Annuities in respect of loans by former boards	126 19 10	70 9 9	94 11 11	69 18 11	45 2 3	45 17 10	46 16 4	46 16 4	46 16 4	32 – –
Ditto for loss of office by officers of ditto	143 – 11	80 1 8	108 11 9	108 5 2	86 8 4	74 2 8	74 2 8	36 9 4	31 17 –	25 14 –
Election of vestrymen and auditors	– – –	77 13 –	42 – –	49 5 3	35 15 –	34 3 –	35 7 –	35 13 9	27 6 3	43 11 6
Rent, slop, sheds, stone yard, offices, &c.	84 10 6	72 – –	78 – –	72 – –	98 12 6	116 10 6	93 11 –	137 15 7	176 16 9	205 15 5
Law and Parliamentary charges	– – –	– – –	– – –	– – –	†824 5 5	331 – 9	59 12 2	34 4 10	– – –	7 11 4
Advertisements	29 16 4	11 2 4	18 5 –	36 1 6	27 13 6	41 – 8	44 10 5	72 1 11	52 18 8	53 10 10
Salaries: medical officer of health, clerks, surveyors, inspector of nuisances, &c.	1,620 2 6	1,034 – –	1,377 – –	1,491 – –	1,377 – –	1,377 – –	1,377 – –	1,372 15 –	1 364 – –	1,443 2 6
Books, printing, and stationery	133 7 2	109 11 4	82 15 6	77 19 3	65 11 8	93 5 1	69 8 11	68 16 5	153 5 3	78 7 2
Manual labour	2,896 5 –	3,085 10 1	2,998 – –	3,433 14 6	3,208 14 6	3,096 5 10	3,096 1 1	3,040 15 3	2,836 2 4	3,410 19 7
Stamps on contracts	17 10 –	9 12 6	11 10 –	13 5 –	14 10 –	14 10 –	14 5 –	16 15 –	16 15 –	19 – –
Loans	– – –	– – –	– – –	– – –	– – –	– – –	– – –	– – –	619 5 8	792 11 1
Metropolitan Board of Works: precepts	– – –	2,583 6 7	3,117 19 10	3,568 15 2	5,307 6 1	3,752 1 5	3,519 2 11	3,399 16 8	4,058 3 5	3,115 17 8
Ditto ditto main drainage	– – –	– – –	– – –	2,375 – –	2,375 – –	5,375 – –	3,000 – –	– – –	3,000 – –	3,000 – –
Sewers works (local)	912 7 5	2,613 13 3	1,385 12 4	2,206 11 5	883 11 4	2,643 18 9	1,861 13 2	1,285 6 4	896 19 7	2,480 – 4
Lighting and works connected therewith	3,456 2 10	4,115 7 7	3,272 10 4	4,305 19 6	3,744 6 7	3,811 7 10	3,810 11 10	3,790 6 4	3,713 16 11	3,649 15 11
Improvements (not included under the foregoing heads)	106 13 2	– – –	– – –	50 – –	– – –	– – –	– – –	– – –	‡6,659 12 6	‡5,023 10 5
Other payments	1,264 – 11	806 16 6	541 1 5	159 14 1	35 7 4	208 6 7	173 7 –	199 1 2	156 15 –	272 2 3
TOTAL Payments £.	15,441 16 7	21,927 17 6	20,030 19 –	24,926 9 1	25,912 9 8	29,734 3 5	26,026 9 6	20,874 17 7	30,828 6 10	34,835 1 1

* This column comprised a period of 15 months. The other columns are for one year ended at Lady day.

† In this year three Railway or other Bills were opposed.

‡ These payments include the cost of erecting a new vestry hall and offices for the parish business.

Appendix, No. 6.

PAPERS handed in by Mr. *Charles Lahee*, 18 June 1866.

RETURN of PROCEEDINGS taken by the VESTRY of *Chelsea* for the Removal of NUISANCES, and for the improvement of the Sanitary condition of the Parish of *Chelsea*, during the 10 Years from 1 January 1856 to 25 March 1866.

	State of Houses.	Yards and Cellars.	Water Supply.	Drains and Privies.	Nuisances.	Ventilation.	Over-crowding.	Slaughter Houses.	Cow Houses.	Bakehouses.	Miscellaneous.
Presentments made by the Medical Officer of Health	673	181	857	4,229	1,236	98	49	245	62	63	705
Complaints made by inhabitants, &c.	40	39	47	671	508	1	9	6	0	0	50
TOTAL	713	220	904	4,900	1,744	99	58	251	62	63	755

PROCEEDINGS TAKEN.

1st Notices issued.	2d Notices issued.	Works executed in default.	Compulsory Proceedings.
7,173	1,870	69	407

TABULATED STATEMENT of the EXPENDITURE of the VESTRY of the Parish of *Chelsea*.

	*1856–7.	1857–8.	1858–9.	1859–60.	1860–1.	1861–2.	1862–3.	1863–4.	1864–5.	1865–6.	TOTALS.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Paving	3,241 4 6¾	3,365 15 11	2,966 7 7	2,224 1 1	3,493 14 9	4,774 10 5	6,889 12 8	4,827 5 6	4,577 13 4	6,529 19 –	42,890 4 9¾
Lighting	3,110 4 1	3,092 4 5	2,745 7 11	2,680 17 2	4,761 11 9	4,129 2 1	3,546 3 6	4,422 15 9	2,696 7 6	3,616 1 3	34,800 15 5
Watering	1,062 13 2¾	857 7 1	935 14 –	921 18 4	1,054 6 6	1,090 19 –	1,280 13 10	1,225 12 4	1,327 12 9	1,521 6 1	11,278 3 1¾
Cleansing	2,461 19 –½	1,740 17 1	1,185 2 5	1,179 19 1	1,106 12 11	1,302 9 11	1,484 9 8	1,709 18 8	1,953 2 5	2,208 7 1	16,332 18 3½
Removing dust	43 8 –	151 13 8	273 2 11	428 16 2	326 15 –	215 12 6	550 1 6	393 2 6	370 – –	298 – –	3,050 12 3
Improving	11 12 3	20 3 –	125 4 6	35 11 8	58 16 2	406 5 4	733 11 9	37 15 7	58 19 4	712 8 4	2,200 7 11
Metropolitan Board of Works	– –	999 7 6	2,117 6 8	5,312 5 9	5,095 17 10	5,028 11 5	4,639 3 9	3,780 9 1	5,345 6 2	9,970 18 –	42,289 6 2
Local sewers	682 12 5	1,196 15 –	787 8 6	913 5 8	386 16 5	594 11 9	723 1 5	1,056 – 5	927 13 10	1,129 11 7	8,397 17 –
Establishment	1,389 14 4	1,565 11 –	1,700 8 6	1,944 6 10	1,938 2 6	1,990 11 8	2,139 17 7	2,279 4 7	2,387 15 2	2,374 11 6	19,710 3 8
Compensation for loss of office	259 – –	269 – –	239 – –	176 10 –	164 – –	164 – –	164 – –	164 – –	205 – –	164 – –	1,968 10 –
Income and assessed taxes	59 4 5	74 11 3	11 10 3	44 15 1	71 6 1	62 2 2	52 15 4	37 5 6	32 6 8	20 3 4	466 – 1
Interest on loans	1,015 6 11	1,047 1 8	1,027 15 9	962 1 11	1,245 16 –	1,277 16 8	1,217 1 6	1,162 8 10	1,304 16 10	1,092 7 10	11,352 13 11
Repayment of loans	– –	– –	– –	– –	1,900 – –	1,349 5 2	1,391 12 1	1,409 10 3	1,426 4 4	1,443 12 –	8,920 3 10
Building and repairing vestry hall	– –	– –	2,319 14 –	3,150 3 11	5,593 5 4	911 14 10	89 – 8	94 – 8	164 5 11	318 11 5	12,640 16 9
Sundries	609 14 –	284 14 4	372 13 7	183 14 5	231 2 7	521 2 1	232 9 1	719 1 10	326 9 4	344 11 6	3,825 12 9
On account of the late Hans town improvement commission	845 8 3	240 6 –	120 – –	120 – –	– –	– –	– –	– –	– –	– –	1,325 14 3
Chelsea improvement commission	2,345 15 6	1,000 – –	– –	2,000 – –	– –	– –	– –	– –	– –	– –	5,345 15 6
TOTAL £.	*17,137 17 –	15,905 7 11	16,926 16 7	22,278 7 1	27,428 3 10	23,818 15 –	25,133 14 4	23,318 11 6	23,103 13 7	31,744 8 11	226,795 15 9

* This column shows an expenditure of 15 months; from 1 January 1856, to 25 March 1857; the other years end respectively on the 25th March.

Charles Lahee, Vestry Clerk.

Appendix, No. 7.

PAPER handed in by Mr. *Edwin Chadwick*, C. B. App. No. 7.

COMPARATIVE COST and Results of the Metropolitan and the City Corporation Police Forces.

STATISTICAL RETURN referred to in answer to Question 6542.

EXTRACT from a LETTER by Sir *Richard Mayne* to Sir *George Grey*.

Cost per Man of the City and Metropolitan Force.

THIS expenditure for the Metropolitan Police, amounting to 400,389 *l.*, divided by 6,116, the number of the Metropolitan Police Force in the Metropolitan Divisions, exclusive of those employed in the Dockyard and War Department stations, gives an annual cost of 65 *l.* 9 *s.* 3 *d.* for each man,* and the expenditure for the City Police, amounting to 48,172 *l.*, divided by 608, the number of the City Police, gives an annual cost for each man of 79 *l.* 4 *s.* 7 *d.* The cost of each man is therefore 13 *l.* 5 *s.* 4 *d.*, or 21 per cent. higher in the City Police. The difference of cost thus shown arises partly from the higher rate of pay, and cost of clothing, equipments, &c., amounting to 7 *l.* 5 *s.* 7 *d.* per man, and the remainder is from the greater expense of the establishment for the management of the City Police.

Additional Cost to City.

The additional cost thus caused to the City on the whole number of the City Police amounts to 8,370 *l.* a year more than it would be if the pay, expenses, and management were according to the Metropolitan scale. The additional cost to the Metropolitan District on the whole number of the Metropolitan Police, if the pay, expenses, and management were according to the City scale, would be 84,196 *l.* a year more than it now is, which sum may therefore be considered as so much saved by the more economical administration of the Metropolitan establishment.

The Cost per Head of the Population. (Table D.)

The cost of the maintenance of the Police, considered as a tax per head of the whole population of each district, is, in the Metropolitan District, 2 *s.* 10 *d.*, and in the City, 8 *s.* 4 *d.*, or 194 per cent. higher in the City.

The Cost per House.

The cost as a tax for each house, inhabited and uninhabited, is, in the Metropolitan District, 19 *s.* 0½ *d.*, in the City, 3 *l.* 2 *s.* 10 *d.*, or more than 200 per cent. higher in the City.

The cost of the police, whether considered as a tax on the population or houses, being as thus shown, so much higher in the City, it was asserted that the inhabitants of the City pay the higher rates for the greater security of person and property afforded them.

Comparison of Crimes in the City and Metropolitan Districts.

In answer to the assertion that there is a greater security of person and property in the City, I have to refer to the criminal returns in the latest volume of the "Judicial Statistics," presented to Parliament for the year 1861; it is there shown that the number of crimes committed in the year was—in the City, 1,029; in the Metropolitan District, 11,203.

† The area of the City is little more than one square mile; the population, 111,784 persons, and the number of houses inhabited and uninhabited, 1,479.

The area of the Metropolitan District is 571 square miles; the population, 3,110,684 persons; the number of houses inhabited and uninhabited, 461,848.

Ratio of Crime to Population.

The proportion of crimes to population (Table F. annexed) is—in the City, one crime to 108 persons; in the Metropolitan District, one crime to 277 persons. In this relation crimes in the City are upwards of 156 per cent. higher than in the Metropolitan District.

Ratio of Crime to Houses.

The proportion of crimes to inhabited houses is—in the City, one crime to 12 houses; in the Metropolitan District, one crime to 37 houses. In this relation crimes in the City are upwards of 208 per cent. higher than in the Metropolitan District.

Ratio of Apprehensions.

The proportion of number of persons apprehended to number of crimes committed is—in the City, 10 apprehensions to 15 crimes; in the Metropolitan District, 10 apprehensions to 28 crimes.

But

* The cost of each man in the Dockyard divisions being 63 *l.* 2 *s.* 10 *d.*, as correctly stated in the volume of the "Judicial Statistics," page .

† Report, page 24, of the Commissioners to inquire into the state of the Corporation of London, presented to Parliament, 1854; and last Census, 1861.

App. No. 7.

But since, as it will be observed presently, half the number of persons apprehended by the City Police were discharged by the magistrates, it is necessary to compare the number of efficient apprehensions, which resulted in bringing the offenders to trial, with the amount of crime in each district.

Of Committals and Discharges.

This ratio was—in the City, 10 efficient apprehensions to 32 crimes; in the Metropolitan District, 10 efficient apprehensions to 37 crimes. The proportion of prisoners discharged by magistrates in respect of those apprehended—by the City Police, one in two; by the Metropolitan Police, one in four.

If the whole value of a police were to be measured by the number of magisterial committals in comparison with the number of police apprehensions, it would appear plain from these figures, that the number of persons improperly apprehended by the City Police is double that so apprehended by the Metropolitan Police. The Metropolitan Police are concerned with much graver classes of crimes, or they get up their evidence more satisfactorily; of the suspected and accused persons apprehended by the City Police less than one half, of those apprehended by the Metropolitan Police fully three-fourths are committed for trial.

The precise number of criminals committed for trial in the year was—in the City, 321; Metropolitan District, 2,997.

Comparing the ratio of those figures to the respective populations of each district, it is found that such crimes are—in the City as three; in the Metropolitan District, one.

Proportion of graver Offences against persons and Houses. (Table E.)

With reference to the graver classes of offences against persons and houses, the annexed Table (E.), from "Judicial Statistics," page 16, in the year 1861, shows that of the following grave offences against the person, namely, attempts to murder, shooting at, wounding, stabbing with intent to do bodily harm, manslaughter, and larceny from the person, the numbers were in the Metropolitan District 1,368, being in the ratio of one to 2,273, or 0.44 per cent. of the population. In the City the numbers are 304, being in the ratio of one to 368, or 271 per cent. of the population.

Ratio to Population

Ratio to Houses.

Of offences in houses, namely, burglary, housebreaking, breaking into shops, warehouses, larceny, to the value of 5 *l.* in dwelling-houses, and "other felonies and misdemeanors" (so specified in the "Judicial Statistics"), the numbers were—in the Metropolitan District, 1,168; in the City, 104, being in the following ratio:—Metropolitan District, of one to 360, or 277 per cent. of the inhabited houses; City, of one to 127, or 782 per cent. of the inhabited houses.

(Tables E. and F.)

It is thus shown that the crimes of a serious character, both those against persons and houses, as well as crimes of every description, are relatively to population and houses much higher in the City than in the Metropolitan District. The inference is, that the Metropolitan Police are more efficient than the City Police for the prevention of crime. The percentage of the persons apprehended who are committed for trial is much greater in the Metropolitan District than in the City. These results show that a greater number of persons are improperly apprehended in the City. The Metropolitan Police act with better discretion and more regard to the evidence against the persons apprehended. For the accuracy of the calculations and results which I have stated, and for other calculations and interesting deductions on these matters, I beg to refer to a paper attached, by Mr. Frederick Purdy, Secretary to the Statistical Society, and the Statistical clerk to the Poor Law Board, to whom I referred the returns for examination and correction.

Crimes of every Description higher in the City than Metropolitan Districts.

In addition to the results shown, in making a general comparison of the action of the Metropolitan and City Police for the prevention of crime, the number and character of the crimes committed, and the detections, it is right to call attention to various local circumstances in many parts of the Metropolitan District which do not exist in the City, affording facilities for the commission of crime and escape of the guilty parties.

City Police District.

Population in 1851	127,533	Houses in 1851	14,483
„ 1861	111,784	„ 1861	13,218
Decrease - -	15,749	Decrease - -	1,265

Metropolitan Police District.

Population in 1861,	3,110,654	Houses in 1861,	360,089
„ 1851,	2,417,781	„ 1851,	306,086
Increase - -	692,873	Increase - -	54,003

The small area of the City is in all parts covered with buildings, almost all warehouses and shops, closed at night; it is everywhere surrounded by the Metropolitan Police District, the warehouses, &c., on the banks of the river being protected by the Thames division of the Metropolitan Police.

The Metropolitan District comprises the whole Metropolis, except the small portion called the City, besides suburban and rural districts, extending over an area of 571 square miles; the population and houses are largely increasing, whilst there is a constant decrease of population and houses in the City.

The India House with its great offices and store-houses no longer exists. The Metropolitan cattle market is removed from Smithfield to Islington, and a large City prison is built at Holloway. The establishment in the Metropolitan District of branch banks of the Bank of England, and many others, all denote the progressive transfer even of quarters of wealth and business out of the City, and the consequently increasing duties and responsibilities of the Metropolitan Police.

In the suburban and rural districts, houses are greatly exposed to depredation, from the facility with which criminals can get into gardens and enclosed grounds out of sight of the police, effect an entrance into the house undisturbed, and take an opportunity to escape without observation; also thefts of fruit and vegetables from gardens, poultry, &c., from detached buildings may be committed with comparative facility, and often with small means of detection.

The railway stations, theatres, and numerous places of amusement open at night, the great

great assemblages at Ascot, Epsom, Hampton, and other races, fairs, &c., which afford opportunities for the commission of crime and escape of the criminals—none of these exist in the City.

I should not have entered into any discussion as to the merits of the two bodies of police but in answer to statements referred to at the commencement of this letter. I do not desire to disparage the administration nor the conduct of the City Police; that force is organised exactly upon the model of the Metropolitan Police, the orders and regulations for the performance of their duties are taken from those of the Metropolitan Police, the regulations still in force were approved as the law requires by the Secretary of State, the late Sir James Graham, in the year 1842; but the operations of the City Police must necessarily be less effective in consequence of the very limited area in which they act, and the want of knowledge of the persons and practices of the criminal classes who go from the surrounding district into the City to commit crime.

The City Police are far more numerous in proportion to the extent of ground they have to cover than the Metropolitan Police, but it need scarcely be stated that the protection of any place is not to be estimated merely by the numbers of the police employed there. Under a combined system of action, and mutual observation maintained at other, and even distant places, information communicated throughout an extensive district, and the additional numbers of police that may be occasionally brought to bear upon each point when required, protection may be given, and a degree of police efficiency obtained, much greater than would be possible by the separate action of the police at the several places. Such combined action and intercommunication can never be effected between bodies of police under different authorities, without any real antagonism, and indeed with every desire for cordial co-operation on the part of the superior officers—which has at all times existed between those of the Metropolitan and City Police—it cannot be expected that either force will take much interest in the prevention of crime out of their own district.

Another very important consideration arises in times of public commotion and on great public occasions.

The numbers and organisation of the Metropolitan Police give the means of bringing together whatever amount of the civil power may be required to preserve the peace and maintain good order without the intervention of military or other extraordinary force. The small numbers of the City Police do not admit of such arrangements, and the City Authorities, therefore, if left to their own resources, are unable to provide for the public safety, and lamentable consequences have ensued. This was foreseen, and in some degree provided for by the City Police Act (2 & 3 Vict. cap. 94, s. 24), by which the Secretary of State for the Home Department, on the application of the Lord Mayor, in any case of special emergency, may grant the assistance of the Metropolitan Police to act within the City; but the Lord Mayor can hardly judge of the actual necessity, or know the amount of assistance that ought to be applied for. Moreover, the principle of such dependence is unfair to the inhabitants of the Metropolitan Districts, who are thus at times (most frequently times of great general excitement) deprived of their proper protection, and for which they can receive no equivalent from the City Force.

I beg leave, in conclusion, to state that the existence of a detached Police Force in the heart of the Metropolis is at variance with the principle on which the police is established in every other town in the kingdom. The continuance of such an extraordinary exception in the Metropolis has, after lengthened inquiry and careful consideration, been condemned by two Select Committees of the House of Commons and by two Royal Commissions appointed to inquire into the state of the Corporation of the City of London. On the last occasion, in the year 1854, the Commissioners, the Right Honourable H. Labouchere (now Lord Taunton), the late Sir George C. Lewis, and Mr. Justice Patteson, in their Report to the Queen thus express their deliberate opinion, "with regard to the Police,"—

"We believe that the incorporation of the City with the larger district by which it is surrounded is a measure recommended alike by considerations of efficiency and economy."

1 June 1863.

App. No 7.

Extract from Report.

The metropolis presents, perhaps, the greatest variety of difficult conditions to be dealt with; upland districts and lowland marshes, with outfalls below high-water mark, densely populated town districts, and open suburban districts, with much important agricultural drainage to be considered and provided for in the general arrangement of the drainage of the natural areas. The early improvements of these works in the metropolis cannot fail to be conducive to the extension of the like improvements in the provincial towns.

The south side of the river, of course, forms of itself a distinct drainage area, and might be the subject of a distinct jurisdiction, but we need not advert to all the considerations, amongst which is the saving to the ratepayers of the unnecessary expenses of separate establishment charges, which render it desirable that it should be brought under one and the same survey and course of systematic improvement, under the same administrative body. There are also engineering grounds for this proposed consolidation, though the natural drainage basin is the least extent of geographical area that can be included under one establishment or set of works with economy and efficiency, more than one basin or natural drainage area may be comprehended with public advantage within one jurisdiction. The eventual combination of works for the supply of water, with works for the application of refuse, and with works for sewerage, indicate the necessity of extending the administrative district beyond the drainage areas to comprehend these related works.

It might be considered, and objected, that the details of management for so extensive a district would be numerous, beyond the powers of one Board to compass, and such would be the case if the same modes of transacting business which are now in use in these district courts were to be continued; if business which ought to be dispatched from day to day, by paid, competent, and responsible officers, giving their whole time and attention to the subject, continues to be reserved and delayed, incurring the expensive attendance of architects and builders until court days, held at long intervals, when it is dispatched, unavoidably, *en masse*, by the honorary and irresponsible members who casually attend, and who dispose of it in the manner described in the evidence of Sir George Phillips, and of Mr. Hertslet, the clerk to the Court of Sewers at Westminster. On analysing the business of these district courts meeting weekly, fortnightly, monthly, or quarterly, it appears that a large proportion of it arises from the very defects of their own plans and works, which under an amended system will disappear. Those who have paid attention to the dispatch of large amounts of varied business, are aware that up to certain limits the larger the amount the more complete are the means of classifying and systematising it, the better the real dispatch of it. We shall have occasion to cite as an example, the consolidation under the Metropolitan Road Commission of the administration of the roads formerly administered by a number of local trusts, comprehending the suburban parishes in the metropolis.

Under that commission, the roads have been improved, the tolls and the debts reduced, and the business of 100 miles of road transacted satisfactorily, with less attendance and consumption of time on the part of the honorary members of the Board, than was previously required by the defective dispatch of business, by any one of the numerous separate Boards, under which important improvements were found to be impracticable. It may be averred, that the business of a Commission of Sewers for the whole of the metropolis may eventually be dispatched better and more expeditiously than the business of one of the single commissions.

On the Commissioners of Sewers, on which we have felt it our duty to report as above, we find the names of His Grace the Duke of Wellington, of the First Lord of the Treasury, of the Lord Chancellor, the Lord Chief Justice, and of other noblemen and gentlemen of the highest position and talent in the country. As it must have been known that they could not attend to the duties of these commissions, we submit that it is objectionable in principle so to use such names, or to associate them before the public with business in which they can really have taken no part.

It has appeared to be our duty to state that we have had presented to us ground of exception against one class of appointments to these commissions, namely, that of surveyors, of architects in practice, of builders, traders, agents, and professional persons connected with building operations in their respective districts. The more the investigation advances, the more is it apparent that the progressive improvement and proper execution of this class of public works, together with the appliances of hydraulic engineering, cannot be reasonably expected to be dealt with incidentally, or collaterally to ordinary occupation, or even to connected professional pursuits, but require a degree of special study, which not only place them beyond the sphere of the discussion of popular administrative bodies, but beyond that of ordinary professional engineering and architectural practice.

In justification of this conclusion, and to show the evil of the perverted application of names of high general professional authority, we might adduce examples of the most defective works which have received their sanction. All the improvements which the public have yet obtained in this branch of public works, have been the result of the special and undivided practical attention of well qualified paid officers; and it appears to us that further improvement must be sought by the same means, and that one of the chief objects of future administrative arrangements must be to secure, protect, and encourage the zealous undivided attention and efficient labour of such officers.

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METROPOLITAN SEWERS.

CHARGE to a JURY of the WESTMINSTER DISTRICT of SEWERS, on the Public Advantages from the Consolidation of Districts and Services, delivered by the Right Honourable Viscount *Morpeth*, on the 6th of April 1848.

Gentlemen of the Jury,

YOU are summoned here by virtue of a provision in the Statute of the 23rd Henry VIII., which authorises the Court "to inquire by the oaths of the honest and lawful men of the shire or shires, place or places, where defaults or annoyances be, as well within the liberties as without (by whom the truth may the rather be known), through whose default the said hurts and damages have happened, and who hath or holdeth any lands or tenements, or common of pasture, or profit of fishing, or hath or may have any hurt, loss, or disadvantage by any manner of means in the said places, as well near to the said dangers, lets and impediments, as inhabiting or dwelling thereabouts, by the said walls, ditches, banks, gutters, gotes, sewers, trenches, and other the said impediments and annoyances."

At the time the Statute was passed, there were few or no valuations, for other purposes, available for the purposes of sewers rates; the works to be executed were more simple, and the properties to be charged fewer. The author of this Statute of Sewers could not have contemplated that it would ever fall to the men of the county to assess, in one single district, between 50,000 and 60,000 individuals, or the owners of more than 50,000 tenements, occupied by nearly half a million of population, having a rental of upwards of three millions sterling, comprising immense varieties of properties. This multitude of properties renders it impracticable for you, within any reasonable time, to make direct inspections and adjustments of that part of the Westminster Commission this day brought before you, called the Eastern Division of the Westminster Sewers, within which there are nearly 15,000 separate tenements, with a rental of about 800,000 *l.*; and it is necessary to have recourse to some intermediate agency or assistance to guide your decisions. This assistance is afforded by the valuations of properties to the poor's rate.

From the absence of appeal, however imperfect this test may be, we must assume that the parties are satisfied with that valuation, and that it is the true one. All that remains to be done for your satisfaction, and to enable you to perform your duty, is to present to you evidence as to who are rated to the poor's rates, and at what amounts, from which you will determine who are the parties to be assessed to the sewers rates. This evidence will be given to you, with whatsoever assistance you may require, by the officers of the court.

Looking at the multitude and varieties of properties, you will perceive that, if you felt disposed to go through the whole and found your presentments on original valuations of them, with the little means of assistance which could be afforded to you, and giving you credit for a great extent and variety of knowledge, you would in all probability come to less satisfactory results than by taking the evidence of the poor's rates which will be submitted to you. And here it is right that you should be informed that the rates now required will be for the payment of old debts rather than the creation of new ones. The same is the case in other districts.

Since a jury of the men of the county was last convened, the district for part of which you are acting, though still continuing separate in form, is practically consolidated under one set of Commissioners for the whole of the metropolis, with the exception of one part of the drainage area. The most important point in which the Westminster district now before you must be interested, is that which might be elicited by the question—

What has this consolidation, carried out by the Government, done for us?

To take as an illustration the last subject under the consideration of the Court of Sewers, namely, the establishment of paid officers,

It has given you a large increase of valuable service, without any increase, probably with much diminution, of expense.

For the Westminster District there was formerly one chief clerk, Mr. Hertslet, and one chief surveyor, Mr. Phillips, able and efficient public officers, who are both retained for your service, whilst they are advanced to a higher sphere of duty, and to more satisfactory because more efficient service. But the improvement of drainage works demands scientific appliances and various abilities. We have added to the engineering force Mr. Austin as a consulting engineer, who has long studied the subject of town improvement; and Mr. Roe, who, as surveyor to the Holborn and Finsbury Divisions, took the earliest lead in the improvement of this branch of the public works. Adopting the recommendations of the Sanitary Commissioners, we have deemed the improvement of these works so important to the public health, and the proper performance of the service so needful, as to require undivided attention. We have considered that these services could not be properly attended to as incidents to private practice. We have therefore resolved that all the salaried officers throughout the several Commissions shall, in this department at least, give their whole time to the public service, and shall be freed from private practice. We have, moreover, abolished per-centages on works executed. We have, moreover, abolished all fees.

In the surveyor's department, we have appointed, as an assistant surveyor, Mr. G. Donaldson, who was specially conversant with land drainage, to attend to the subject of the drainage of the low-lying and open marshy land within the district, by which the sanitary condition of the covered district adjoining is much affected. Having observed talent in the report of a surveyor to the Paving Board of St. Andrew's, Holborn, and St. George the Martyr, and evidence of special acquaintance with the subject of house-drainage, we have engaged that surveyor, Mr. Lovick, as an assistant surveyor in this service.

Mr. Stable, the highly respectable clerk of the Holborn and Finsbury Division, we have engaged to take special charge of the collections and disbursements of the rates. We also availed ourselves of the services of Mr. Grey, a public accountant, to systematise the accounts, and to

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enable us to throw light on the pecuniary branch of the administration.

By the consolidation, you have gained the additional services of one chief clerk, of a consulting engineer, and one chief surveyor, and two assistant surveyors, without any increase of expense to the Westminster District. The establishments and the payments are not yet fixed; but to the whole of the districts in the metropolis the consolidation has been attended with this undoubted gain of service, with a reduced expense. The reduction in the surveying staff has already been from upwards of 6,000 *l.* per annum for fragmentary and imperfect service, to 4,700*l.* for a consolidated and improved establishment. The gain to each of the other districts consolidated will be similar, and each has now available the services of the entire staff, and with a considerable reduction of expense.

Secondly, you gain by the consolidation in all that efficiency of works which is dependent on systematic operations on a wide basis; or, in other words, you have had averted the worse than waste which is incurred by operations on a narrow basis, by feeble establishments acting on limited information.

When we entered upon our duties, the sewers of the district were, and unfortunately yet are, and with our best efforts are likely too long to continue to be, what your officers have described them to be—extended cesspools. We have had sewers in the same district running different ways; sewers made at great expense which accumulate pestilential deposit (90,000 tons or 62,000 cubic yards of which we have had flushed away): all these works incurring waste of money for sewering the district ill, which would more than have sufficed not only to sewer it but to drain the houses well and abolish the pestilential cesspools over which they are built. Much of this waste has arisen from the want of a proper system of survey. The remedy for future works is to obtain a proper survey. This more perfect work, which will govern not only main drainage but house drainage, the better construction of streets, the better distribution of water, the identification of properties, better valuations, and the more equal collections of rates, increased efficiency or reduced expense of future works, you gain by consolidation.

One gain by the systematic works is the better adaptation of sewers to the run of water which they are to discharge. That class of works has not yet been completely systematised. Until the survey which we propose to make is more advanced, we may not expect any new system of works to be completed. We have, however, in particular instances, and in cases of emergency, directed new sewers to be made. We may present as examples the new portions of sewers brought under the consideration of the court at the last general court day, viz.:—

	£.	s.	d.
In Winchester-row, New-road.—An estimate for a 4-inch pipe even from each house, instead of a brick drain, as required under previous practice - - - -	171	8	4
Ditto for drain at back, instead of the new mode just mentioned -	52	6	3

The second estimate was approved.

In Dean-street, Soho.—1,300 feet to cost 470 *l.*, including junctions for house drains, was ordered, for which the estimate in 1843 was 1,412 *l.* without such junctions for house drains.

In Bedfordbury, St. Martin's.—130 feet of sewer is to cost 33 *l.*; in 1841, 190 feet at the lower end cost 278*l.* 5*s.* 5*d.*

You may be aware how much of the suburban drainage consists of open ditches at the bottom of gardens. The following is one instance of this kind where an uncovered ditch of 10 or 12 feet wide was complained of as offensive:

Gloucester-street, Shoreditch.—Estimate for 360 feet of pipe-drain in lieu of open ditch, 215 *l.*; former estimate, 600 *l.* Nearly a quarter of an acre of land will be recovered by filling up the ditch. A space of garden-ground, 10 or 12 feet wide, will be gained to each house as a flower-bed, in the place of a stagnant ditch.

The foregoing cases may be briefly stated as follows:—

	Old Plan. £. s. d.	New Plan. £. s. d.
Winchester-row, New-road -	171 - -	52 - -
Dean-street, Soho - -	1,463 - -	470 - -
Bedfordbury, St. Martin's -	200 - -	33 - -
Gloucester-street, Shoreditch	600 - -	215 - -

We have before us two reports for the future drainage of Westminster, comprehending varied applications of the similar principle. We may present an estimate from one, not because it is determined upon yet, but because it furnishes an exemplification on a larger scale of the economies to which we hope to approach.

The comparative cost of drainage works formerly constructed, and of those now proposed on spaces equally covered, would stand thus:—

Per Lineal Mile.

	Annual Cost of Flushing, Cleansing, and Repairs.	Average Rate of Principal and Interest per House, reckoning 320 Houses per Mile.
Expense of Works as formerly constructed 5,000 *l.* - -	70 *l.*	1 *l.* 2 *s.* 2¾ *d.*
	Annual Cost of Pumping and Maintenance.	
Expense of the system at present proposed 1,000 *l.* - -	25 *l.*	5 *s.* 4 *d.*

the proposed works costing less than one-fourth of the former system.

In respect to the more temporary operations of cleansing, we may mention that at the contract price for cleansing under the old system, by the offensive mode of hand-labour and cartage, the expense would have been at per load, (taking the sum paid by the City of London, and taking an average of the other districts,) 7 *s.*, or for 62,000 cubic yards 21,700 *l.*; while the actual cost under the new system, including every expense, has been 4,650 *l.*

We have endeavoured, as far as our powers would permit, to turn the principle of flushing to account for the relief of the poorer districts, and by the removal of the contents of cesspools by means of the pump and hose; and this we have accomplished at less than one-third of the cost, and without any of the usual offensive and injurious effects of the operation.

In respect to the management of the rates, besides reducing the collections we have not thought it of advantage to give to one great company (the Bank of England) the undivided profits on the balances

balances of the ratepayers' money in our hands; but, having obtained freehold security from another banking company, and they having given, with greatly increased facilities for transacting business, interest at the rate of two per cent. per annum on the current balance, we have thought it right to open an account with them; and with this saving of interest we expect to pay the salary of two additional Assistant Surveyors at the least.

The gains from consolidation, then, are, the increase of the force of the establishment, the increase of the efficiency of the works, and a reduction of the expense.

Our future progress, we expect, will be in the increase of efficiency. The surveyors have at present under consideration improvements in house-drainage which we expect will be accompanied by similar reductions in expense concurrent with the improvements.

Further advances to the completion and perfection of the works, and the administrative service, must be dependent on the completion of the drainage district, and on the consolidation of other connected works within our present district, under one and the same competent management.

Had Westminster remained under a management separate from the other districts, effluvia arising from any deposit created by defective cleansing in this district would not only have been diffused in greater quantities than it yet is amidst your habitations, but if the sewers and drains within your own districts were perfectly well cleansed, you would still, on the prevalence of certain winds, be exposed to the miasma carried from the ill-cleansed sewers in other parts of the drainage area.

Your own position may be shown by contrast; but representations having been made that increased expenses would be consequent upon the consolidation, or what is termed the centralisation, of our local institutions, at this time of real pressure it is important that the truth should be known, and what has been the fact, and that the course of real improvement is one of economy and of reduction of burthens. The sewers rates have been, and might continue to be, as they would be under separate management, worse than wasted. But sickness and disease, and premature disablement, not to speak of premature death, entail heavy pecuniary burthens, and all well-devised works, and carefully-applied expenditure, must be in diminution of some of the most serious burthens, and tend to give health and strength to meet others which may be less preventible. The rates now required will be confidently applied in reduction of those burthens. But an increase of efficiency in their application depends on the completeness of the powers given for the purpose. In respect to works, an estimate has been cited to show that a complete system of main sewerage may be expected for all Westminster, at a charge not exceeding 5 *s.* per house per annum, or little more than 1 *d.* per week, for works more complete and certain than any which now exist.

When we are speaking of expenses, we must notice one item of reduction which we have felt it our duty to enforce. The statute under which we act makes no provision for dinners, and we have discontinued that practice. If it were discretionary with us, we should not think it good policy to hold forth the pleasures of the table as an inducement to the service. In strict law, however, we have felt it our ungracious duty to disallow payments for the dinner bills of our predecessors to the amount of 186 *l.* for the last two months they were in office. We take no dinners ourselves, and, I fear, gentlemen, we can offer no public hospitality to you.

"On analysing the business of district courts meeting weekly, fortnightly, monthly, or quarterly," say the Sanitary Commissioners in their first report, "it appears that a large proportion of it arises from the very defects of their own plans and works, which under an amended system will disappear. Those who have paid attention to the dispatch of large amounts of varied business, are aware that, up to certain limits, the larger the amounts the more complete are the means of classifying and systematising it, the better the real dispatch of it. We would cite, as an example, the consolidation, under the Metropolitan Roads Commission, of the administration of the roads formerly administered by a number of local trusts, comprehending the suburban parishes in the metropolis. Under that Commission, the roads have been improved, the tolls and the debts reduced, and the business of 100 miles of road transacted satisfactorily, with less attendance and consumption of time on the part of the honorary members of the Board, than was previously required, by the defective dispatch of business, by any one of the numerous separate Boards under which important improvements were found to be impracticable. It may be averred that the business of a Commission of Sewers for the whole of the metropolis may eventually be dispatched better and more expeditiously than the business of one of the single commissions."

Appendix, No. 8.

App. No. 8.

PAPERS handed in by Dr. *Rendle*, 26 July 1866.

LETTERS from Dr. *Rendle* to the Vestrymen of St. George's, Southwark.

To Mr.

7 February 1865.

VESTRY, ST. GEORGE'S, SOUTHWARK.

Sir,

I BEG most respectfully to call your attention to your next Agenda Paper, sect. 11. In almost every particular the report in that section is mistaken or otherwise untrue. It was drawn up before the last meeting, and was passed without alteration, notwithstanding Mr. Pocock, one of your members, read to your committee at that meeting a report of his private visit the day before to 96 houses in the poorer parts of the parish. The truthfulness of his report was not denied; and therefore the report in section 11 cannot be true. The vestry cannot consistently, without further investigation, pass it. Of the 100 places and houses visited, at least 90 require the prompt attention of the inspector. It was evident, not only from testimony but from the condition of the places, that a faithful inspection is not and has not been carried out. Either the inspector will not, or cannot do it; it is for the vestry to say which. I am permitted to submit to you an abstract of the private inspection referred to, and to say that the houses were not selected, that they were taken right across the parish, and appeared to be fair samples of the general condition; and that in very many cases the people said others about them were quite as bad.

Sect. xi. Agenda Paper. "That the condition of the houses as to cleanliness has, with some few exceptions, undergone considerable improvements,'

Quite the reverse. Most of the houses are from various causes too unclean to be safe. They cannot be otherwise; water for purposes of cleanliness is almost everywhere deficient. In two houses the people say, "We are in a dreadful state; our rent has been raised from 7 *s.* to 8 *s.* a week, but we can get nothing done." One woman appeared quite terrified, and assured her landlord, who was there, that she "had not informed." It is useless to expect the poor, lodgings being scarce, to speak out. "The foul smells are scarcely endurable," said one. Another said, "They do the outside but not the inside." At least 20 houses were so filthy as to require immediate whitewashing and cleansing. Many houses were found to be quite unfit for human habitations: from enormous overcrowding, from dilapidation, from wet coming freely in even upon beds and "pillows," from damp, "the cupboards holding nothing without making it mildewed and rusty. Some were perishing structures, more like dens than human habitations. One received steam from a factory behind, and foul smells from one in front; "the walls and even the beds were often wet."

Sect. xi. Agenda Paper. "Cesspools are now almost entirely superseded. The closets which have been substituted are for the most part well constructed, and where defective ones are found to exist they are reported to the vestry by the Sewers Committee."

A water-closet and drains fairly constructed would be a great improvement on the old cesspool. In most of the places visisted they are from various causes defective. As a rule the water supply is quite insufficient for cleansing purposes. In St. George's New Town, the closets are "often stopping" from this and other causes. A Scripture reader says the people here have been short of water two years or more. Of the 96 houses visited 30 stand as follows:—

Water-closets entirely without water, not the least attempt at a supply, 18 & 19 Vict. c. 120, s. 81, orders "sufficient water supply to closets."

Water-closets specially unfit, being dilapidated, open to weather, partially without roof, without doors, or both: one without doors five years, another four years, others for long periods, many of them open to observation. In many cases the people are well disposed, and certainly could not be supposed to have used these doors as firewood; and lodging is getting so scarce that the agent, if so disposed, has the people quite in his power; he seems to be quite able to make them pay, he can therefore, without doubt, insist upon certain wholesome conditions.

Water-closets with water supply through straight pipe without valve or tap, admitting privy gases easily and directly into drinking butt.

In three places, the closets not being fit for use, the open yards are used instead.

In four places, the one closet for five houses being open to the observation of "boys" in the next street, and the soil heaped up and running out at the door; the people use

other

other means and empty in this corner, where the dungheap and the open drinking butt also are.

How far this is true let what follows show: of the 96 places visited, 42 require the inspector; some are without any water supply, some without water receptacles, some have rotten or broken receptacles, "they let the water out as fast as it runs in." All the houses, with two or three exceptions, are without covers to butts, and so, as one woman said, "every bit of dust and dirt comes in." These, if cleansed, would become filthy immediately, from the atmosphere in these close, filthy places, from drains and dungheaps close at hand, from refuse, rags, and dead animals wantonly thrown by children into the open butt. In two cases the small open casks were standing in pools of liquid night soil. In a very large number the supply is quite insufficient—15 houses, with 181 inhabitants, have water receptacles holding 456 gallons, 2½ gallons to each person; 25 & 26 Vict., c. 102, s. 77, orders a supply not exceeding 30 gallons per individual. Pork tierces, butter casks, small washing tubs, jars, and rotten kilderkins seem to be the rule, except one side of one street, where none at all are found for the people. From this evidence it appears that the Vestry does not order, or the orders are not carried out. An agent in St. George's New Town (the chief fever haunt) says, "There is not, nor has been, a sufficient supply of water about here; when it comes on it generally dribbles, and does not run in a full stream, and all the butts are too small for so many people." With two or three gallons of water it is of course impossible to keep house and closets clean. The testimony of the people themselves ran thus:—"Our butt is so rotten, it runs out as fast as it runs in;" "obliged to beg water;" "half the time without water;" "go begging on Sundays;" "we have only a nine gallon cask, we beg water where we can;" "I gave sixpence for my butt when I came in four years ago;" "never had a butt these five years;" "no water; we beg it;" and one said "hardly enough water to keep herself clean with."

Sect. xi. Agenda Paper. "That the vestry, upon the recommendation of the Sanitary Committee has, in numerous instances, ordered an increased and better supply of water," &c.

The visit to these 96 houses seems to prove that there is no *bonâ fide* inspection carried on; that drains, condition of houses, water supply, fever to the extent of six, seven, and nine in a house, are without efficient control or superintendence. Several places visited were in a most wretched condition, and had not been inspected at all. Many places, such are their defects, require constant visits and supervision; these had only been visited once now and then in a casual way. In this inspection the yards were generally found loosely paved and sloppy, eight in an extreme state of unfitness. In 21 cases there were no dust-bins, and the refuse consequently was found in kitchens, loosely scattered over the yards, or thrown in the open road. This want is general in St. George's New Town.

Sect. xi. "That" to "expect," &c.

This has been over and over again proved untrue. In the "South London Journal," November 5th, I published the following table, its correctness has not been disputed.

Sect. xi. As to Fever.

PARISHES.	Fever Death Rate in 100,000 Population, Nine Months, 1864.
Camberwell	49
Wandsworth	60
Lewisham	79
Bermondsey	87
Lambeth	93
Newington	96
Rotherhithe	110
St. Saviour's	115
Greenwich	124
St. Olave's	126
St. George's	197

This must be because the committee have not really made any investigation, nevertheless complaints have been made both in sewers committee and in open vestry, and that not unfrequently. The discontent of vestrymen has moreover been often stated, one to another. It is proposed to appoint a man with knowledge and some kindly zeal in him, to work with and under the medical officer as the visitor of these places, in questions of health and cleanliness to advise and help; to understand the law; to keep his eye constantly upon foul infected districts and houses; to look after nuisances for their prompt removal; to keep the medical officer well and constantly advised of the state of his district where local neglect might cause nuisance or disease.

Sect. xi. "This committee have not been informed that either the Roads or the Sewers Committee have had occasion to complain of a dereliction of duty on the part of its officers," &c.

You are, sir, earnestly requested to attend and give the matter your most attentive consideration. Your presence, I beg to assure you, has never been more required.

I am, &c.
(signed) *W. Rendle.*

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Parish of St. George-the-Martyr, Southwark.

REPORT on Constant Water Supply, 1866.

The question of a constant water supply, arising out of a communication from the Bermondsey Vestry, and referred to the Sewers Committee, has been considered.

No doubt, with a practically unlimited supply of water from its sources, apparatus of adequate strength, and with reasonable thought and care on the part of the people, a constant supply would be a very great boon indeed. It is stated that 30 gallons per individual are now supplied; and notwithstanding the assertion of the Southwark Water Company's engineer that half this quantity would be enough, it may be considered to be not really too much, when we take into account the various uses for which the water would be required, viz., drinking, personal cleansing, washing clothes, house, and drains, for cooking, and for the modern water-closet, which alone requires a very large supply.

It cannot, however, be pretended that anything like this amount is supplied to each individual. The 28 or 30 gallons referred to, include the supply to manufacturers and others, who use large quantities, and to individual persons and families who use or waste a quantity much in excess of this average. It comes in fact to this, that very large numbers of persons, especially those in the poorest, unhealthiest, and most uncleanly districts, are in every sense very badly and insufficiently supplied. Probably in some cases the main pipes leading to these densely inhabited districts are inadequate; that branch pipes to groups of houses or to single houses, are insufficient, or altogether absent, or that the water is turned on much too short a time.

Inspections made in this parish within the last year, have shown that in numbers of cases the poor have no water receptacles, properly so called, at all. In others, they have as makeshifts, tubs, jars, barrels—wholly unsuited for the purpose; these, moreover, kept in overcrowded and uncleanly living rooms, or in extremely filthy yards. In others, that there are receptacles in bad repair, or more or less rotten and tainted. In most cases these receptacles are without covers, notwithstanding they are almost necessarily placed in situations full of offensive emanations, or where they must in various ways receive dust, smoke, and the like. To show the almost impossibility of keeping water reasonably pure in the receptacles in use, let it be again noted and never forgotten, what kind of receptacles are usually in use among the poor; that they are generally placed of necessity near to closets, privies, dustheaps, untrapped sinks, open drains, and in filthy sloppy yards; that from these and other causes, it is almost impossible to keep water other than in a tainted atmosphere. The full force and vital consequence of this argument will be understood, by calling to mind how largely water absorbs deleterious and other gases. 1,000 gallons of water are known to dissolve at the common temperature—

46	gallons	oxygen.
25	„	nitrogen.
2,500	„	sulphuretted hydrogen, a sewer and privy gas, productive of fever.
1,000	„	carbonic acid.
500,000	„	ammonia, a product of animal decomposition, as in urinals.

The result of all this is, among the poor especially, that the supply is very impure indeed; and in quantity it does not perhaps exceed, on the average, five gallons per individual among this class of people.

This, whether a little more or less, is altogether inadequate; consequently filthy houses and filthy habits, and the result of these, disease, personal degradation, and neglect.

It should further be noted that on the Sunday, when the working classes can especially spare time for cleansing, there is virtually no water supply at all. This has been by them often and very bitterly complained of.

The "Edinburgh Review" says, "Wherever the blame of inadequate supply to the London poor may rest (and it appears to rest more with the proprietors than the water companies), the undeniable fact is that, notwithstanding the vaunted 26 gallons per head per diem declared to be furnished to Londoners, thousands of the poor get but little of it directly any day; and none at all on Sundays."

The Committee may, perhaps, in connection with present or expected disease, be permitted a few practical remarks, not altogether wide of the subject. Cholera may arise from a tainted air, but it has over and over again been proved to arise from unclean drinking-water; and as this parish has in times past suffered more than 2,000 deaths from epidemic cholera and diarrhœa, the purity and sufficiency of water supply and storage are of the highest consequence.

The purity of the supply is not even now as it ought to be. The brown earthy matter formerly suspended in the water received in the London butts before the sewage was discharged into the Thames, was not in any way so unwholesome, so dangerous, as the late apparently comparatively clean supply taken from sources into which sewage has been permitted to flow.

Notwithstanding all the expense incurred by the ratepayers of London to insure the purity of their part of the river, the condition of the upper Thames, from which the drinking-water is chiefly obtained, is still much too foul to be safe. No less than 56 towns in the basin of the Thames above Chelsea still cast their impurities into the river.

London has, the Committee think, a claim, after its great sacrifices, to be protected from this abomination. The danger of using water tainted with sewage, even in a very slight degree, is great. In this district, partly in this parish, a conclusive investigation, upon a large scale, has shown how true this is. In 1849 and 1854, in a given population, part supplied by the Southwark Company, part by the Lambeth Company, and in the same streets, the epidemic deaths were as follows:—Lambeth Company, 1849 (impure supply containing sewage), deaths, 1,925; 1854 (pure supply), deaths, 611, *i.e.*, 37 in 10,000 living. The Southwark Company, 1849 (impure supply, and containing sewage), deaths, 2,880; 1854 (still impure supply, and still containing sewage), deaths, 3,476—130 in 10,000 living.

These figures should be well noted, for they mean thousands of unnecessary deaths.

In Oxford, in 1832, the district of St. Clements had its supply from the sewage-receiving stream. The

The cholera cases were 74. In 1849, with pure water from the Headington springs, there were but three cases; in 1854 there were 18 cases, still a small number in comparison with the rest of Oxford. In the city gaol, 1832 and 1849, there were no cases; in the county gaol, 1832, there were two cases; in 1849, 14 cases. In 1854 the city gaol was again quite free of cholera, and nearly so of diarrhœa, while the county gaol, admirably managed, and not far from the other gaol, was again attacked, and 25 cases of cholera and diarrhœa occurred. It was now discovered that a nearly stagnant millpond and a drain from the prison ran into the stream, within 10 feet of the supply pipe for the prison use, from which place the kitchen coppers were supplied, and the soup and gruel made. The supply pipes were at once cut off, and during the rest of the epidemic time but four cases of cholera and diarrhœa occurred, not one of which was fatal.

The requirements to be considered in connection with water supply are, that it should be sufficient, and that it should be pure. The supply will certainly be far purer under the constant than under the intermittent system. From what we observe, as to the almost universal unfitness of the means of storage among the poor, some of the conditions being probably more or less irremovable, its usually unclean situation and condition, and from the dangers resulting from the use of impure water, it is no doubt in the highest degree desirable to have a constant supply, and that this should, if possible, be compassed at any reasonable cost.

The question of an efficient supply upon this system depends, it is said, mainly upon the prevention of waste. Waste is very great indeed under the present system, and it might very probably be found, that very little increased waste would occur under the new; some competent witnesses say it would be actually much less. It is said, upon good authority, that half the water supplied in London is wasted; in Glasgow, 15 gallons out of 39; in Birmingham, so much that it is considered water could, but for this, be supplied at half or a third of the present cost.

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TO THE

REPORTS

FROM THE

SELECT COMMITTEE

ON

METROPOLITAN LOCAL GOVERNMENT, &c.

Ordered, by The House of Commons, *to be Printed*,
30 *July* 1866.

452—I.

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Coal and Wine Duties:

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2. *Views of the Metropolitan Board of Works in favour of a Continuance of the Duties for Public Improvements.*
3. *Sundry objections urged against the foregoing Proposition.*
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Necessity of division into parishes and wards, as in the City of London, in order that local self-government may continue to exist in an efficient state under a system of metropolitan corporations, *Gladding* 3250–3254.

Drainage. Further remedies required as regards drainage in the case of small property; that is, by charging the expense on the property, *Gladding* 3196–3200. 3220.

Economy with which comprehensive drainage works may be carried out in the Metropolis on account of the large area to be dealt with; that is, if there be but one management, *Chadwick* 6506–6509——Decided objection to the present system, by which the Metropolitan Board of Works have charge only of the main drainage, whilst the minor drains are under different local authorities, *ib.* 6508, 6509.

Formidable difficulty in the first selection of the required drainage works; so that this duty should be entrusted to a special Commission responsible to Parliament, *Chadwick* 6514——Calculation that for three millions all the necessary sewers and outfalls might be constructed, whereas the mere outfall drains are now costing this sum, *ib.*——Objections to any local action in connection with drainage and other works carried out or designed in the first instance by a central body, *ib.* 6531, 6532. 6603–6609.

Witness contemplates an entirely new system of drainage notwithstanding all that has already been done, *Chadwick* 6588. 6602——Facility of correcting the evils of the present drains and sewers in which the deposit matter accumulates, *ib.* 6588. 6602——Importance of scientific and influential hands in order to direct the execution of local drains and sewers, *ib.* 6602–6609——Great progress made in recent years in regard to the system of house drainage in towns, *ib.* 6630, 6631.

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Drew, George Henry. (Analysis of his Evidence.)—Represents the vestry of the parish of Bermondsey, 5522——Complaint as to the difficulty and delay in obtaining orders from the police court for the removal of nuisances, 5522–5526——Difficulty in dealing with manure manufactures and other nuisance works in Bermondsey, 5526——Suggestion that the local authority or vestry, in any parish, should have power to make orders for the removal of nuisances, subject to an appeal to some separate tribunal established for the purpose, 5526–5551.

Difficulty in regard to obtaining a constant supply of water in Bermondsey, 5552–5564——Expediency of the water companies being under the control of the Metropolitan Board of Works, or of a separate appellate tribunal, 5562–5570——Restriction proposed in regard to the opening of the streets by gas and water companies, 5571–5576——Constant contest in Bermondsey for the office of vestryman, 5577–5580——Respects in which the constitution of the vestry is not a fair representation of the ratepayers; advantage if the large manufacturers would serve, 5581–5588. 5607.

Gradual improvement being effected by the vestry in the condition of the courts and alleys, and of the smaller class of houses, 5589–5597——Probable improvement if Bermondsey and adjacent parishes were under one management, comprising men of a higher class than are found in the present vestries, 5598–5610——Local Act in force in Bermondsey under which the directors of the poor are elected, the rates being assessed and collected by them, 5611–5616.

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Dwellings of the Lower Classes. Unfitness for habitation of many of the dwellings of the poorer classes; grounds for this statement, *Farr* 2254. 2374–2381——Effect of high rates in discouraging the building of houses fit for the poor, *ib.* 2258–2261——Limit of the labouring classes in the choice of localities in which to live, on account of their places of employment being chiefly in the east and south of London, *ib.* 2275–2278——Considerations as to the defects of the dwellings of the lower classes on the score, more especially, of ventilation, *ib.* 2381–2410.

Want of a power to compel the owners of the smaller and more wretched class of houses in the metropolis to render them fit for habitation, or if necessary to pull them down or close them, *Dangerfield* 2863. 2871. 2881–2908. 3021 *et seq.*——Evidence as to the great evil of overcrowding in the dwellings of the lower classes, and as to the remedies required, *Gladding* 3210, 3211. 3217–3219. *Salter* 3767–3774. 3790, 3791. *Collins* 3963–3971. *Hawks* 4108–4116. *Birt* 5132–5144. *Rendle* 6913. 6957–6978——Room for private enterprise in the erection of improved dwellings for the labouring classes; demand for such places at remunerative rents, *Gladding* 3213–3218——Power of the police to pull down houses when dangerous, *ib.* 3313, 3314.

Approval of the vestries pulling down unhealthy places and "fever dens," and providing improved dwellings; necessity of the greatest care in doing so, in order to prevent jobbery, *Collins* 4021–4024——Advantage if houses let out in several tenements to different families were obliged to be registered in the same way as common lodging-houses, *Clark* 4283–4288. 4301–4307——Approval of a certain Bill, now before Parliament, empowering the pulling down of unfit habitations, and the erection of improved dwellings in their stead, *Jebb* 4399–4402. 4436–4438.

Great difficulty in rendering the houses in Kent-street and other low neighbourhoods healthy, owing to the uncleanly habits of the people themselves, *Iliff* 4799. 4808–4820. 4823——Improvement in the habits of the lower classes if they had improved dwellings to live in, *ib.* 4813–4817——Views of the officers of health in Newington as to the expediency of their having enlarged powers in dealing with the houses of the poor, *ib.* 4822.

Expediency of pulling down many of the houses in narrow courts and other places where they are crowded closely together, *Birt* 5061–5063——Difficulty in regard to pulling down crowded and unhealthy houses on account of the want of other and better dwellings to which the occupants might remove, *ib.* 5109–5119——Expediency, before pulling down the wretched houses in courts and alleys of first providing improved dwellings, *ib.* 5115–5119——Proposition that the expense of improved dwellings for the lower classes in any parish be thrown over the metropolis at large, *ib.* 5208——Approval of the jurisdiction and control in respect of improved dwellings, provided out of a metropolitan rate, resting with the Metropolitan Board, *ib.* 5209, 5210.

Important benefit by the erection of some improved dwellings in the parish of St. James's in lieu of a large block of inferior houses pulled down for the purpose, *Bidgood* 5402, 5403——Large reduction already effected in the death rate in special cases in the Metropolis by the erection of improved dwellings for the poor, and by the system of common lodging houses, *Chadwick* 6499.

See also *Fever. Overcrowding. St. George-the-Martyr*, 2. *Sanitary Measures. Water Supply.*

E.

Election of Representatives (Central Council):

Explanatory statement as to the plan of direct election of the members of the general administrative body proposed by witness for the Metropolis, *Hare* 2689 *et seq.*——Attention paid to the scheme of election advocated by witness by certain foreign countries, though they have not actually adopted it, *ib.* 2690. 2746–2749——Proposal for the formation in the first instance of a list of voters, *ib.* 2691. 2710, 2711——Way in which the class of owners or proprietary class should vote in the election in their share of representatives, *ib.* 2691.

Details as to the process of voting and of election in the case of those representatives chosen by the occupying class; necessity of a certain quota of votes before any member is elected, *Hare* 2691 *et seq.*——Important advantage of witness's scheme as enabling electors, wherever they resided, to vote for any candidate whom they might deem most worthy on general grounds, *ib.* 2691–2705. 2741–2751——Examination upon the question whether the localities might not be very imperfectly represented under witness's scheme of election; grounds for dissenting from this view, *ib.* 2694 *et seq.*——Contemplated extension of the election of each member over a period of three days, the result of each day's election being published, *ib.* 2708. 2713. 2769. 2784–2787.

The candidate obtaining the majority of votes in any district should be the representative of that district, but must make up from other sources his quota of votes if such district be too small to give him the prescribed number, *Hare* 2709. 2714–2725. 2730–2745——Witness does not propose any plan in regard to the size or number of the electoral districts,

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districts, but only that there should be a list of voters in each, *Hare* 2710, 2711——Candidates should send in their names to the office of the registrar of municipal electors, and such office should send to every elector a list of the candidates, *ib.* 2754–2757——The votes of owners of property should be sent direct to the central office, where the votes and quotas should be made up, *ib.* 2758. 2777.

Different classes of ownership which should vote according to the value of the property possessed; such as the city companies, the owners of charity property, and others, *Hare* 2758–2763——Effect of the proposed representative scheme in causing greater activity and interest in local municipal elections in the Metropolis, *ib.* 2764–2771——The quota required for each candidate should be a quota of those who vote, and not of those on the register, *ib.* 2766–2768——Conclusion as to there being every prospect of leading men coming forward as candidates, *ib.* 2772–2774. 2789–2792.

It is proposed that both owners and occupiers should vote by papers, *Hare* 2775, 2776. 2787——The votes of the occupying class should first be delivered and computed locally, but should be finally computed in the central office, *ib.* 2777, 2778——Each member should represent that locality in which he has more votes than any other person; improbability of his resigning if elected for a district other than that for which he was a candidate, *ib.* 2779–2782——The elections should take place annually, *ib.* 2783.

Further statement in favour of the annual election being extended over two or three days; that is, in order properly to attract public attention, *Hare* 2796, 2797——It is not an essential part of witness's scheme that a voter in any district should be free to vote for a candidate in any other district, *ib.* 2798——It is not by any means essential that candidates should propose themselves, *ib.* 2799.

Contrast between the passive character of the present local elections in the Metropolis and the activity and interest to be displayed under witness's scheme; peculiar value of the latter system in calling into play the best thought of the community in the election of representatives, *Hare* 2800–2804. 2844–2855——Further conclusion as to persons of eminence being disposed to seek municipal distinctions under the proposed system of election, *ib.* 2806–2808——Statement in further explanation of the system proposed in regard to the allotment of votes to owners of property, *ib.* 2811–2818——Explanation more especially as to the way in which charity property and educational property should be represented, *ib.* 2811. 2824–2831.

Approval of the Parliamentary qualification for municipal votes to occupiers; witness would like, however, to have the suffrage of the occupiers as low as possible, *Hare* 2815–2817——Objection to imposing any qualification upon the elected individual, *ib.* 2819, 2820——Proposed arrangement by which any surplus votes received by any candidate in excess of his required quota would not be thrown away, *ib.* 2836–2838——Probability of many electors voting on lists; doubt as to any evil on the whole arising from such practice, *ib.* 2839–2844——Apathy at present in municipal elections further adverted to; expediency of correcting this by making the municipalities more important, and entrusting them with larger powers, *ib.* 2844–2856.

Forms submitted by Mr. Hare in elucidation of his scheme of election of representatives by means of voting papers, *App.* (*2d Report*) 272, 273.

See also *Central Board of Council. Metropolitan Board of Works*, 2. *Municipal Corporation*, 2.

Election of Vestries, &c. See *Vestries*, 2. *Voting Papers.*

Equalisation of Rates. Question considered as to the sufficiency of an equalisation of rates throughout the Metropolis as a means of enabling the Metropolitan Board to raise the required charge for improvements, &c., *Sir J. Thwaites* 614–625. 633–641——Better ability of the poorer parishes to pay increased rates to the Metropolitan Board if the poor-rate were equalised over the Metropolis, *ib.* 621. 633–643——Question of an equalisation of the county rate and the land-tax in the Metropolis adverted to with reference to the prospect of an equalisation of the poor rate, *ib*, 699–732.

Great advantage, if it were possible to have an equality of voting in the Metropolis; impracticability of this at present, *Beal* 2156. 2161——Opinion that there should be an equalisation of the poor rate over the whole area of the Metropolis, *Farr* 2195–2197. 2210–2232——Slight relief to the poorer parishes by equalising the rate merely in each of the proposed municipalities, *ib.* 2196–2198. 2225.

Great relief to the parish of St. George-the-Martyr if there were an equalisation of rates in the Metropolis, *Birt* 5254. 5257——Importance, with a view to improved sanitary measures in the poorer parishes, of an equalisation of rates in the Metropolis, *Rendle* 6979–6982.

Conclusion of the Committee as to the greater facility of providing funds for all local purposes and improvements by a nearer approach to the equalisation of local burdens, *First Rep.* xi, xii.

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Farr, Dr. William. (Analysis of his Evidence.)—Is Superintendent of the Statistical Department of the Registrar General's Office; assisted in taking the census in 1851 and 1861; 2162, 2163——Great inconvenience experienced in taking the census in the Metropolis on account of the multiplicity of territorial subdivisions, 2164–2166——Formation of new divisions from time to time for purely local and separate purposes, and without any reference to the general administration of the Metropolis, 2166–2169——Very limited convenience, as compared with the numerous inconveniences arising from the present subdivisions and the variety of boundaries and areas, 2169.

Importance, not only for statistical but for municipal and administrative purposes, of arranging the Metropolis in a certain number of divisions coinciding with one another, 2169–2172——Opinion that the municipal and parliamentary divisions should be co-extensive, it being desirable to alter the latter in order to complete this arrangement, 2173–2178——Approval of the proposition of Mr. Horton for dividing London into ten or eleven municipalities, organised and administered in the same way as the large boroughs and towns of the country, 2178. 2181. 2352, 2353.

Better composition and more responsible position of the proposed municipal bodies than of the present vestries, 2179——Concurrence in Mr. Horton's suggestion for preserving the historical associations of Westminster and of the City in arranging the proposed municipalities, 2181. 2355–2363——Necessity of a central body for the administration of matters common to the whole Metropolis, such as the main drainage, 2182——More satisfactory discharge by the municipal bodies than by the district boards, of the duties connected with local drainage, &c., 2182, 2183.

Opportunity of doing more for the health of London if there were a proper municipal organisation, 2184. 2366——Very defective and unhealthy water supply of London some years ago, this being one of the matters which should rest with the central municipal body, 2184–2188——Advantage also in the central body reporting to Parliament upon the question of the admission of railways into London, 2190–2192.

Statement showing that the poor rates in different parishes of the Metropolis are most unequal, and that the poorer ratepayers contribute to the support of the poor in a much larger ratio than the rich ratepayers, 2193. 2262——Increased mortality in the poorer and more crowded parishes, 2193. 2210–2212——Advantage in placing the relief of the poor in the hands of the proposed municipal bodies, who might appoint special committees with paid officers under them, for administering the poor law, 2194, 2195. 2199–2209. 2215–2217——Opinion that there should be an equalisation of the poor rate over the whole area of the Metropolis, 2195–2197. 2210–2232——Slight relief to the poorer parishes by equalising the rate merely in each of the proposed municipalities, 2196–2198. 2225.

Expediency of the municipal bodies collecting one general rate for all purposes, including the expenditure for the poor, 2205. 2219–2221. 2226——Necessity of an effectual supervision of the Thames above London in order to prevent the pollution of the river whence the water supply is obtained, 2233–2242——Unsatisfactory constitution of the vestries and district boards generally in the Metropolis, 2245–2253——Unfitness for habitation of many of the dwellings of the poorer classes; grounds for this statement, 2254. 2374–2381.

Inequality of the rates, in the east and west of London adverted to in connection with the different class of houses and the different rents in the poorer and richer districts respectively, 2256–2261. 2271–2276——Effect of high rates in discouraging the building of houses fit for the poor, 2258–2261——Particular parishes in which the mortality of children is unusually high, on account of the bad sanitary arrangements, unfit dwellings, &c., 2263, 2264——Good sanitary arrangements comparatively of the City of London, which is under one officer of health, 2265–2268——Limit of the labouring classes in the choice of localities in which to live, on account of their places of employment being chiefly in the east and south of London, 2275–2278.

Examination relative to the several divisions of the Metropolis now in operation with reference respectively to the poor law, police, post office, ecclesiastical purposes, militia, &c., 2280 *et seq.*——Total of thirty-nine districts into which the area of the Metropolis is now divided so far as local government is concerned, 2349. 2351——Expediency of redivision being based chiefly upon the data of area and population, 2354, 2355——Convenience of such populations as those of Manchester, Birmingham, or Liverpool, for purposes of municipal government, 2364–2366.

Important improvement in regard to officers of health under the proposed municipalities 2367——Great advantage if the more wealthy and intelligent classes, or the leading men of the Metropolis, could be induced to take part in the local government, whereas very few of this class are found in the vestries, 2367–2373. 2411, 2412——Expediency of the executive duties being discharged by paid officers, under the municipal bodies, 2368, 2369.

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Considerations as to the defects of the dwellings of the lower classes on the score more especially of ventilation, 2381-2410——Contemplated removal of gasworks, cowsheds, and slaughter-houses from the populous districts, 2413, 2414——Necessity, in considering the relative importance of the City, of taking into account the large non-resident population who take part in its management, 2415-2422.

Contemplated system of divisions and subdivisions as in France, 2423. 2440, 2441——Advantage of one and the same division for all purposes, rather than of separate divisions for separate purposes, more especially in order to have one set of officers to take charge of different duties, 2423-2426——Importance for statistical purposes of having the same district for all the different classes of facts, 2427, 2428——Way in which the proposed municipalities would operate in inducing men of position to take part in the local government of the Metropolis, 2429.

Opinion that the members of the municipalities should be elected by their own wards rather than by the municipality at large, 2430, 2431——For the present, witness would propose merely to extend to London the municipal organization of the country and large towns generally, 2431. 2439——Disapproval of any special inducement to members elected by wards to attend the central municipal office; the distances to be travelled should not be any serious impediment, 2432-2439.

Fever (Poorer Classes). Great evil through there being no power to remove to fever hospitals poor persons stricken with fever; difficulty in enforcing such power, *Collins* 3671-3982——Expediency of power in the vestries to pull down fever dens, and to provide improved dwellings, *ib.* 4021-4024——Payments made by the St. Pancras vestry towards the fever hospitals and the patients thereon, *ib.* 4071, 4072.

Want of power in the Westminster Board to close houses where fever exists while the rooms are being cleansed and disinfected, *Jebb* 4392. 4396, 4397. 4401, 4402——Statement as to the importance of powers in the local authorities, as in Rotherhithe parish, to shut up houses and streets where fever prevails, with a view to cleansing them at the charge of the owners, *Hawks* 4108-4116. 4572-4575——Frequent prevalence of fever in the parish of St. George-the-Martyr, the vestry, however, doing all in their power to repress it, *Birt* 5108, 5109.——*See* also *Dwellings of the Lower Classes.*

Finsbury Borough. Statement of the computed population of the borough in 1861, the gross estimated rental, and the rateable value, *App.* (1*st Rep.*) 110.

List of registration districts to be comprised in the proposed borough or municipal corporation of Finsbury, *App.* (2*d Rep.*) 267.

Finsbury Park. Expenditure of 59,567*l.* upon Finsbury Park, the park having yet to be laid out; return expected from the sale of building plots, *Sir J. Thwaites* 353-362.

Complaint as to the manner in which the Metropolitan Board propose to carry out the new park for Finsbury; that is, by first selling some 20 acres for building purposes, *Layton* 5789-5793——Comment upon the curtailment by the Metropolitan Board of the space to be devoted to Finsbury Park, *Savage* 6681-6683.

Statement showing the amount expended on the park, the return received, &c. *App.* (1*st Rep.*) 91.

Fire Brigade. Estimated net expense of about 30,000*l.*, as the annual charge upon the rates in respect of the Fire Brigade, *Sir J. Thwaites* 539, 540——Contribution from Government and from the insurance companies towards the Fire Brigade, so that the present net charge upon the rates is about 30,000*l. ib.* 540. 858-861——In addition to 10,000*l.* received from Government, there will be a receipt of about the same amount from the insurance companies, *ib.* 540——Incidence of the charge for the Fire Brigade upon the occupiers, *ib.* 866, 867. 870-878——Nature of the arrangement as to the contribution for the Fire Brigade by the insurance companies, *ib.* 868, 869.

The Fire Brigade should be under the proposed general council for the Metropolis, as now under the Metropolitan Board, *Beal* 1795——Efficiency and economy by employing the police as firemen, if the supply of water were constant, and if jets were substituted for engines, *Chadwick* 6542, 6543.

Amount of taxation by the Metropolitan Board in 1866 in respect of the Fire Brigade *App.* (1*st Rep.*) 91.

Foreshore. See *Crown Rights. Thames Embankment*, 4.

France. Practice throughout France in regard to the municipalities receiving aid from imperial sources, *Sir J. Thwaites* 629-632. 678-680.

Fraser, Alexander. (Analysis of his Evidence.)—Is manager of Messrs. Hanbury's brewery, and represents the great hardship of the coal-tax not only upon brewers, but upon paper makers, sugar refiners, and other manufacturers, 1502 *et seq.*

Fraser, Sir William. Unfounded character of many of the complaints made by Sir William Fraser, in June 1865, on the subject of metropolitan paving and lighting, *Dangerfield* 2877, 2878.

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Freeman, Robert. (Analysis of his Evidence.)—Is a member of the vestry of Kensington, and represents Kensington at the Metropolitan Board, 3431–3433——The area of Kensington district is about 2,200 acres, the population being about 80,000; 3434, 3435——There are eighty-seven vestrymen, of whom forty-three are tradesmen, the various interests of the district being very fairly represented, 3436–3438. 3454——The members of the vestry are elected in wards, there being no excitement at the elections, and all efficient men being usually re-elected, 3439–3443——The business of the district is carefully and efficiently managed; and great improvements have been made in the matter of drainage, paving, &c., 3444–3454.

Approval of the members of the Metropolitan Board of Works being elected by the vestries instead of by the ratepayers directly, 3455–3460. 3481–3485——Suggestion in regard to the Metropolitan Board acting as a court of appeal in the event of local disputes as to sewers, paving, &c., 3461, 3462. 3504.

Grounds for concluding that under the proposed system of municipalities a better or more efficient class of men would not be found to take part in the local government of the Metropolis, than under the present system of limited districts and areas, 3463–3468——Great difficulty as to attendance if the areas were very large, 3463——Effect of the creation of a large number of aldermen to deter many efficient persons from acting on the municipal bodies, as the dignity would be very lightly esteemed, 3468–3473.

Considerations as to the constitution of the Metropolitan Board in respect of the number of members; objection to an increased number as tending to prolong discussion, and to retard the transaction of business, 3474–3480. 3486–3503——Approval of a second representative where the districts have greatly increased in size, 3474——Necessity of increased numbers if the gas and water supply should be placed under the Board, 3477——Very good attendance at the committees of the Board, as at present constituted, 3494–3503.

Expediency in some cases of increasing the areas of the local boards, 3504——Reference to Westminster as being divided and subdivided a great deal too much, *ib.*——Great increase in the area and population of Kensington, its present size being very convenient for local administration, 3505–3509——Practical objections to a junction of Fulham, and Hammersmith to Kensington, 3509–3513——Objection also to a junction between St. George's, Hanover-square, and Kensington, 3514–3516——Advantage if there were a uniform system of rating throughout the Metropolis, 3516–3518——Information relative to the system of assessment and collection of the rates in Kensington, 3519–3537.

Fry, Thomas Henry. (Analysis of his Evidence.)—Is Chairman of the Improvement Committee of the Corporation of London, 952, 953——Distinct character of the Holborn Valley Improvement, as being carried out by the Corporation under the Act obtained in 1864; 955–959——This is the only City improvement at present charged upon the 4*d.* coal-tax collected by the Corporation, 960. 1018–1023——Total of 1,100,000*l.* as the gross Parliamentary estimate for the Holborn viaduct, and the two streets to the north; items of which composed, 961–968——Expenditure of 335,250*l.*, up to the present time, on this improvement, 963.

Probability of the original estimate of 1,106,000*l.* being exceeded by about 250,000*l.*, on account of the increased value of property and the increased price of wages and material, 965. 969–972——Original estimate of 483,196*l.*, after deducting re-sales; increased allowance for re-sales as against the increase of expenditure, the net cost being now set down at 586,000*l.*; 973–985——Very incomplete character of the Holborn improvement, unless means of access to the viaduct are provided from the south side, and unless Newgate-street is widened; various modes of effecting this, 986–995. 1083——Gross estimate of 547,208*l.* for the foregoing additional improvements, less about 120,000*l.* for re-sales; particulars hereon, 996–1017. 1104, 1105.

Doubt as to the sufficiency of the 4*d.* coal-tax, for the term under the Holborn Improvement Act; to pay the increased cost of the works, 1024–1027——Opinion that the coal-tax is one of the best possible taxes for the purpose of improvements, 1028——Application made to Government for a further extension of the 4*d.* coal duty for city improvements, 1029, 1030——Large sums voted by the Corporation in aid of improvements, irrespectively of the coal duty, 1032, 1033——Aggregate of about a million as the estimated net cost of the Holborn and Newgate-street improvements, if carried out in a complete manner, 1037–1045.

Completion of the Clerkenwell improvements, there being, however, a quantity of surplus land yet to be re-sold, 1046–1052——Great necessity for improvements in various parts of the City, 1053——Re-sale of a large portion of the ground rents in the case of the Cannon-street improvements, 1054, 1055——Contemplated levying of an improvement rate in the City to be disbursed by the City authorities, 1057–1065——Contribution by the City and by the Metropolitan Board respectively towards many improvements of a local character, 1066–1068.

System of City rating adverted to; practice in regard to re-assessment when improved houses

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houses are erected, 1069-1082——Expediency of the City being allowed to appropriate the 4*d.* coal duty for another period of ten years, in order to effect certain pressing improvements, 1083. 1085——Importance of widening the Poultry, 1083——Importance also of widening Walbrook, or, rather, of making an oblique street there, 1083, 1084——Understanding as to the City having a claim to the 4*d.* duty, and as to their having consented to its appropriation for public improvements, 1085-1103.

Fulham. Return showing the population of Fulham district in 1861; the county rate basis and rateable annual values in March, 1866; the total amount of taxation by the local authorities and by the Metropolitan Board, in the year 1863-4; and the rate in the pound on the county rate basis and on the poor rate rental, *App.* (*1st Rep.*) 106, 107——Statement of the computed population of Fulham district in 1866, and the county assessment and the poor rate assessment, *ib.* 110.

Fuller, John. (Analysis of his Evidence.)—Is a member of the Islington vestry, 6004-6007——Takes considerable interest in the proceedings of the highway committee, but is not a member of that body, though he has been twice nominated, 6008, 6009. 6118-6124——Neglected and wretched state of many of the roads in Islington parish, notwithstanding frequent complaints by the inhabitants, 6010-6014——Objectionable manner in which the estimates for the road-making are prepared, the subscriptions received from owners in respect of new roads not being credited, 6015-6018——Very unsatisfactory audit of the parish accounts; grounds for this statement, 6019-6032.

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GAS SUPPLY:

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Further statement as to the undue advantage given to gas companies under the Act of

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1860; examination hereon as to the part taken in the matter by the vestries, and as to their mission to institute further proceedings for the protection of the consumers, *Dangerfield* 3061–3090——Advantage of a larger area than that of the Whitechapel district for the purposes of a separate supply of gas; still more so for a separate water supply, *Gladding* 3228–3235——Want of a better and cheaper supply of gas, *ib.* 3228. 3281.

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Gladding, Robert. (Analysis of his Evidence.)—Is a member of the local board of works for Whitechapel, and of the board of trustees; has lived in the district for forty-one years, 3122–3126——The Board of Works comprises fifty-eight members, the majority of whom are tradesmen; very good position and qualifications of the members generally, 3127–3132. 3258——Rare instances of contests for election to the Board of Works; practice of re-electing the same men, 3133–3136——Custom at each meeting of electing the same member as chairman; probable advantage if a permanent chairman were chosen, 3137–3140——Election of the members of the Board by the vestry from their own body, 3141.

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Greenwich. Several districts to be comprised in the proposed municipal borough of Greenwich, *Horton* 2457–2461.

Return showing the population of Greenwich district in 1861, the county rate basis and rateable annual value in March 1866, the total amount of taxation by the local authorities and by the Metropolitan Board in the year 1863–64, and the rate in the pound on the county rate basis and on the poor rate rental, *App.* (*1st Rep.*) 104, 105——Statement of the computed population of the borough in 1861, the gross estimated rental, and the rateable value, *ib.* 110.

List of registration districts to be comprised in the proposed borough or municipal corporation of Greenwich, *App.* (2nd *Rep.*) 267.

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Hackney. Return showing the population of Hackney district in 1861, the county rate basis and rateable annual value in March 1866, the total amount of taxation by the local authorities and by the Metropolitan Board in the year 1863–64, and the rate in the pound on the county rate basis, and on the poor rate rental, *App.* (1st *Rep.*) 104, 105.

List of registration districts to be comprised in the proposed borough or municipal corporation, *App.* (*2nd Rep.*) 267.

Hackney Carriages. Grounds for the statement that as regards the tax on hackney carriages the metropolis is specially taxed for Imperial purposes to the net amount of 44,834 *l.* a year, *Sir J. Thwaites* 656–659——Communication from witness to the Chancellor of the Exchequer with reference to the claim of the Metropolitan Board to a portion of the hackney carriage duties; reasons assigned on the part of the Treasury for not acceding to this claim, *ib.* 657——Very inferior hackney carriages and horses in London, the fares however being lower than in provincial towns, *ib.* 713–716——Question for the board whether there should not be a municipal tax on cabs, if the Imperial tax were removed, *ib.* 821, 822 —— Distinction between cabs and waggons as regards municipal taxation, *ib.* 918–921.

Hampstead. Return showing the population of St. John's, Hampstead, in 1861, the county rate basis and rateable annual value in March 1866, the total amount of taxation by the local authorities and by the Metropolitan Board in the year 1863–64, and the rate in the pound on the county rate basis and on the poor rate rental, *App.* (*1st Rep.*) 104, 105 ——Statement of the computed population in 1866, the county rate assessment, and the poor rate assessment, *ib.* 110.

Hare, Thomas. (Analysis of his Evidence.)—Is a member of the Chancery Bar, and an inspector for the Charity Commissioners; has paid considerable attention to the subject of representation both for national and local purposes, 2680–2688——Has prepared a scheme for the local Government of London, 2688.

Proposed direct election of the principal governing body to be entitled the "Lord Mayor and Council of London," 2689——This body might be composed of 150 members, one-third to be chosen by the owners of property and two-thirds by the occupiers, *ib.* ——The Lord Mayor of the city of London should be the president, and there should be a permanent vice-president, who might be the present chairman of the Metropolitan Board, *ib.*——Eight aldermen of the city should be added to the central body, which should also comprise for three years twelve members of the present Metropolitan Board, *ib.*

Explanatory statement as to the plan of election of the members of the general body, 2690 *et seq.*—— Attention paid to the scheme of election advocated by witness by certain foreign countries, though they have not actually adopted it, 2690. 2746–2749—— Proposal for the formation in the first instance of a list of voters, 2691. 2710, 2711—— Way in which the class of owners or proprietary class should vote in the election of their share of representatives, 2691.

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Proposition that candidates send in their names to the office of the registrar of municipal electors, and that such office should send to every elector a list of the candidates, 2754-2757—— The votes of owners of property should be sent direct to the central office, where the votes and quotas should be made up, 2758. 2777——Different classes of ownership which should vote according to the value of the property possessed: such as the City companies, the owners of charity property, and others, 2758–2763——Effect of the proposed representative scheme in causing greater activity and interest in local or municipal elections in the metropolis, 2764–2771—— The quota required for each candidate should be a quota of those who vote, and not of those on the register, 2766–2768.

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[Second Examination.]—Explanation relative to the adoption in Denmark of a system of representation and election for the Rigsraad similar to that advocated by witness for London; question hereon as to the success of such system in Denmark, 2793–2795. 2832–2835——Further statement in favour of the annual election being extended over two or three days; that is, in order properly to attract public attention, 2796, 2797—— It is not an essential part of witness's scheme that a voter in any district should be free to vote for a candidate in any other district, 2798——Nor is it by any means essential that candidates should propose themselves, 2799.

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Suggestion that the sittings of the administrative body need not be continuous throughout the year, the executive business being left to proper officers, 2809, 2810——Statement in further explanation of the system proposed in regard to the allotment of votes to owners of property, 2811–2818——Explanation more especially as to the way in which charity property and educational property should be represented, 2811. 2824–2831 ——Approval of the Parliamentary qualification for municipal votes to occupiers; witness would like, however, to have the suffrage of the occupiers as low as possible, 2815-2817 ——Objection to imposing any qualification upon the elected individual, 2819, 2820.

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Hawks, Robert Shafto. (Analysis of his Evidence.)—Represents the vestry of Rotherhithe; is clerk to the local board, 4076, 4077——The population of the parish of St. Mary, Rotherhithe, is about 26,000, the rateable value being 104,500*l.*; 4078–4081——There are twenty-four vestrymen elected by the whole parish; particulars hereon as to the practice of election, 4082–4096——Very diversified class of persons in the vestry, the community generally being very fairly represented, 4097–4101——Very limited representation in the vestry of the inferior class of houses, 4102–4106.

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penalties before the magistrates against the owners of densely crowded and filthy houses; want of a more speedy remedy in these cases, 4108-4116——Explanation of the system in force in the parish in regard to rating; practice as to deductions from the gross rental in order to arrive at the rateable value, 4117-4134.

[Second Examination.]—Objection to there being only one body in Rotherhithe parish for discharging the duties of the guardians and of the vestry, 4554-4558——Suggestion with a view to the Metropolitan Board exercising an appellate jurisdiction over the local boards in the metropolis, 4559-4571——Further statement as to the importance of powers in the local authorities, as in Rotherhithe parish, to shut up houses and streets where fever prevails, with a view to cleansing them at the charge of the owners, 4572-4575.

Large expenditure upon sewerage in the parish, attended with considerable improvement in health, 4576-4578——Very unfit character of many of the houses in the parish, so that it would be a great improvement to pull them down, and build improved dwellings in their stead; difficulty as to the space available, 4579-4594——Great boon to Rotherhithe by the new park there, 4595-4597.

Health of London. Opportunity of doing more for the health of London if there were a proper municipal organization, *Farr* 2184. 2366——Grounds for the conclusion that the health of London may be immensely improved by the introduction of a proper system of drainage, and of water supply, &c., *Chadwick* 6497 *et seq.*——Local neglect to which the extension of disease in London is largely owing, *Rendle* 6906. 6913.

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Hickson, William Henry. (Analysis of his Evidence.)—Has paid considerable attention to the subject of the municipal administration of the City of London, and of the metropolis generally; first wrote upon the subject of municipal reform in the year 1836; 6684-6687——Enormous saving which might have been effected if thirty years ago there had been a consolidation of the numerous divided jurisdictions in the metropolis, 6687, 6688——Great number of parochial divisions and local jurisdictions in the City, so that the rates are immensely enhanced, 6688—— Heavy expenditure also entailed in connection with the City corporation, *ib.*

Inaccuracy of a certain return in the Appendix to the First Report of the present Committee, which represents the total amount of rates in the City as amounting to 290,624 *l.* or 3*s.* 6 *d.* in the pound, on the basis of the county rate; data for the statement that this return greatly under-estimates the extent of the City burdens, 6688-6719——Exceedingly heavy rates and taxes paid by witness in respect of some premises in the parish of St. Dunstan's, 6688, 6689. 6703-6718——Very excessive rates now levied upon house-rent, so that building improvements are greatly checked and impeded thereby, 6709. 6719. 6772-6776——Average of about 6*s.* 8 *d.* in the pound as the amount of the local rates throughout the City, 6718, 6719.

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tral court for such purposes; approval, however, of committees being formed by the court as occasion requires, 6828-6853.

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Advantage if the administration of the Poor Law were placed under the proposed central Board, 6896——Comment upon the refusal of the corporation of London, some thirty years ago, to undertake the charge of the poor, 6896, 6897——Great economy of administration if the management of the poor were not in the hands of a special set of officers, but if all local and parochial matters were consolidated under one management, 6898.

Holborn District. Return showing the population of the district in 1861, the county rate basis, and rateable annual value in March 1866, the total amount of taxation by the local authorities, and by the metropolitan Board, in the year 1863-64, and the rate in the pound on the county rate basis, and on the poor rate rental, *App.* 1st *Rep.* 106, 107.

Holborn Valley Improvements. Distinct character of the Holborn Valley improvements, as being carried out by the corporation under the Act obtained in 1864, *Fry* 953-959——This is the only City improvement at present charged upon the 4 *d.* coal tax collected by the corporation, *ib.* 963. 1018-1023——Total of 1,106,000 *l.* as the gross Parliamentary estimate for the Holborn viaduct, and of the two streets to the north; items of which composed, *ib.* 961-968——Expenditure of 335,250 *l.* up to the present time upon this improvement, *ib.* 963.

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Charge of 680,000 *l.* upon the 4 *d.* coal duty, under the Acts of 1861 and 1863, for effecting the Holborn Valley Improvements; sufficiency of the extension of the duty from 1782 to 1882 to meet this charge, *Scott* 1383-1404——System of bonds, at 4, 4¼, and 4½ per cent. ,by which the required money has been raised for the Holborn Improvements; statement hereon as to the money not having been raised on the guarantee of Government, *ib.* 1390-1396. 1402, 1403.

Requirement of about 413,000 *l.*, in order to render the Holborn Valley Improvements more complete, it being proposed that this amount be provided by a further extension of the coal tax, *Scott* 1405-1407——Consideration as to the probable sum to be obtained by the corporation by disposing of the property required for the improvements in Holborn; immense value of property in some parts of the City adverted to hereon, *ib.* 1408-1429. 1437-1446.

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Iliff, Dr. William Tiffin. (Analysis of his Evidence.)—Is medical officer of health for Newington, 4797——Due attention paid by witness and the inspector of nuisances to the state of the houses of the poorer classes, 4798——Great difficulty in rendering the houses in Kent-street and other low neighbourhoods healthy, owing to the uncleanly habits of the people themselves, 4799. 4808-4820. 4823——Difficulty experienced in Newington from overcrowding, 4799, 4800. 4811. 4816——Obstacle to an effectual drainage of the district until the Low Level Sewer is competed, 4801.

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IMPROVEMENTS (METROPOLIS):

1. *Chief Improvements carried out or contemplated by the Metropolitan Board, and Cost incurred or estimated.*
2. *Local or Minor Improvements aided by the Metropolitan Board.*
3. *Considerations as to the Means of defraying the Cost of Metropolitan Improvements still required.*
4. *City Improvements generally.*

1. *Chief Improvements carried out or contemplated by the Metropolitan Board, and Cost incurred or estimated:*

Witness lays before the Committee sundry papers containing statistics of receipt and expenditure in respect of the several more important improvements, the accounts for the coal and wine duties, and other particulars, *Sir J. Thwaites* 381–386; *App.* (*First Rep.*) 91–93——Aggregate of 863,700 *l.* estimated for the improvements applied for in the present Session, *Sir J. Thwaites* 393–395——Explanation that in 1859 a plan was prepared by the Board of the chief improvements required, the more pressing of these improvements having since been carried out, or in progress, *ib.* 901–910. 936, 937.

Statement showing the present condition of the fund for each improvement, the money already expended, money in hand, money realisable under borrowing powers, amount borrowed, returns received and receivable, original estimate and estimate to complete, *App.* (*First Rep.*) 91.

Schedule showing the works and improvements in course of construction, and the chief improvements required, together with the gross cost and net cost in each case, *App.* (*First Rep.*) 97, 98.

Summary of the various improvements carried out by the Metropolitan Board, in addition to the Main Drainage and Thames Embankment, *First Rep.* vi, vii.

2. *Local or Minor Improvements aided by the Metropolitan Board:*

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3. *Considerations as to the Means of defraying the Cost of Metropolitan Improvements still required:*

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With regard to a large expenditure by the Board in improvements more directly beneficial to the West-end, than to the East-end of London, it is of vital importance that all metropolitan improvements should be charged upon a common fund to which every citizen should contribute, Sir *J. Thwaites* 744–762.

Proposition that the money required for street improvements, &c. should be obtained by means of a house tax, instead of the coal tax, so that trade may not be injured, *Rolt* 1152–1157. 1173–1176. 1211–1214. 1240.

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Islington:

1. *Complaints as to the Management of the Parish, and the Constitution and Operation of the Vestry.*
2. *Statistics and Explanations supplied on the part of the Parish Authorities.*
3. *Details in Connection with the Amount of Rates.*

1. *Complaints as to the Management of the Parish, and the Constitution and Operation of the Vestry:*

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2. *Statistics*

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2. *Statistics and Explanations supplied on the part of the Parish Authorities.*

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METROPOLITAN BOARD OF WORKS:

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3. *Question of Increasing the Number of Members.*
4. *Suggested Appeal to the Board from the Vestries and Local Boards.*
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1. *Generally as to the Functions of the Board:*

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MUNICIPAL CORPORATIONS:

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2. *Suggestions as to the Mode of Election of the Members of the Municipalities.*
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1. *Generally in Explanation and Support of the Scheme for the Establishment of Municipal Corporations in the Metropolis:*

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2. *Suggestions as to the Mode of Election of the Members of the Municipalities:*

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3. *Superior Class of Persons expected as Members:*

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4. *Suggestions as to the Constitution and Jurisdiction of each Corporation:*

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5. *Bill prepared for carrying out the Scheme:*

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6. *Report of Committee of Delegates on the Subject:*

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7. *Returns and Statistics submitted by Dr. Farr:*

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Rotherhithe. The population of the parish of St. Mary, Rotherhithe, is about 26,000, the rateable value being 104,500 *l.*, *Hawks* 4078-4081——There are twenty-four vestrymen, elected by the whole parish; particulars hereon as to the practice of election, *ib.* 4082-4096——Very diversified class of persons in the vestry, the community generally being very fairly represented, *ib.* 4097-4101——Very limited representation in the vestry of the inferior class of houses, *ib.* 4102-4106——Great attention paid by the vestry to sanitary matters, *ib.* 4107——Remedy required in the case of overcrowded houses in Rotherhithe, *ib.* 4108-4116. 4572-4575.

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St. George's-in-the-East:

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St. George's, Hanover Square:

Reference to a table of rating of the metropolitan parishes in 1862, as showing that the rates in St. George's, Hanover Square, were only 2*s.* 8*d.* in the pound, whilst in some parishes they were 7*s.* and upwards, *Sir J. Thwaites* 594–607——Very low rates in St. George's, Hanover Square, and Belgravia, adverted to with reference to the question of management, *ib.* 921–936.

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St. George-the-Martyr (Southwark):

1. *Constitution and Operation of the Vestry.*
2. *Dwellings of the Lower Classes.*
3. *Objection to enlarging the Area of Administration.*
4. *Representations by Dr. Rendle as to the Deficiency of Sanitary Measures.*
5. *Statistics in connection with the Rates.*
6. *Other Details generally.*

1. *Constitution and Operation of the Vestry:*

The vestry of St. George-the-Martyr comprises forty-eight members, elected by three wards, *Birt* 5013——Particulars relative to the conduct of the vestry elections, the part taken in them by the rate-payers, and the position of the persons elected, *ib.* 5014–5036——The great majority of the vestry are tradesmen, *ib.* 5022–5028.

Division of the vestry into three committees, and practice as to the discharge of the duties of the vestry by this means, *Birt* 5037–5041——Satisfaction generally of the inhabitants with the proceedings of the vestry in regard to paving and lighting, &c., *ib.* 5042, 5043——Details explanatory of the work devolving upon the sanitary committee of the vestry, and the mode of discharge of such work, *ib.* 5044 *et seq.*——Information as to the mode of proceeding of the vestry and the committees, with reference to paving and other works, *ib.* 5145–5153.

Approval of the system of the committees reporting to the vestry, without being empowered to carry out their own views, *Birt* 5153–5155——Inconvenience in the parish from the inability to appoint a permanent chairman; practice of the vestry in order to obviate this difficulty, *ib.* 5156–5161——Absence of difficulty in getting persons to act as vestrymen, though, on the other hand, there is no anxiety to obtain the office, *ib.* 5216, 5217——Publicity given to the accounts, and proceeding of the vestry, *ib.* 5277.

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St. George-the-Martyr (Southwark)—continued.

2. *Dwellings of the Lower Classes:*

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Willingness generally of the occupants of the lower class of houses in St. George-the-Martyr to encourage the interference of the vestry, the landlords, however, being sometimes very difficult to deal with, *Birt* 5094–5098. 5267. 5272——Undue increase of the present exceptionally high taxation of St. George-the-Martyr, if it had to pull down the inferior class of houses and provide better ones, *ib.* 5208——Large number of small houses belonging to one or two owners; attention paid to repairs in these cases, *ib.* 5271, 5272.

3. *Objection to enlarging the Area of Administration:*

Feeling of the vestry in favour of the present system of local administration, rather than of an enlargement of the area of administration, *Birt* 5218–5220——Improbability of a better or more influential class of persons than the present vestrymen coming forward if the area of administration were co-extensive with the Parliamentary borough, *ib.* 5222–5226——Probable difficulty as to a proper representation of the parish if the area of administration were extended to the whole of Southwark, *ib.* 5227–5232.

4. *Representations by Dr. Rendle as to the Deficiency of Sanitary Measures:*

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Obstructions on the part of vestrymen, as owners of bad and unhealthy property, to the reform measures proposed by witness as one of the vestry, *Rendle* 6904–6908——Appointment lately of another inspector, chiefly through the exertions of witness and a friend in the vestry; want, however, of four inspectors instead of two, *ib.* 6905, 6906. 6912–6923——Wretched condition of ninety houses out of 100 visited by witness and one of the vestry in January 1865, *ib.* 6906, 6912, 6913——Statement as to the fever-infected character of portions of the parish, and as to the non-adoption of timely remedial measures, *ib.* 6913. 6923——Much more active measures adopted lately by the vestry, and by the sanitary committee, *ib.* 6916–6922.

Letter from Dr. Rendle, dated 7th February 1865, with reference to the defective sanitary condition of the dwellings of the lower classes in the parish, and the amendments required, *App.* (*Second Rep.*) 284, 285.

5. *Statistics in connexion with the Rates:*

Return showing the population in 1861, the county rate basis, and rateable annual value in March 1866, the total amount of taxation by the local authorities and by the Metropolitan Board in the year 1863-64, and the rate in the pound on the county rate basis, and on the poor rate rental, *App.* (*First Rep.*) 104, 105.

6. *Other Details generally:*

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Question considered whether the three Boards in the parish of St. George-the-Martyr might not be concentrated; probable inconvenience in the vestry undertaking the duties fulfilled by the guardians, *Birt* 5176–5178. 5280, 5281——Respects in which the local management of witness's parish has much improved, so that there is no longer that agitation and dissatisfaction in the parish which formerly prevailed, *ib.* 5211–5215——Constitution of the Board of Guardians adverted to, *ib.* 5238–5241.

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Statement of the population of St. James's, the rateable value and taxation, *Beal* 1768-1778——Total of fifty vestrymen in St. James's parish, the majority of whom are small tradesmen in the back streets, *ib.* 1782 —— Rule generally of the vestry to sacrifice efficiency to economy, as regards the powers entrusted to them; illustration of this, *ib.* 1785, 1786. 1831-1833——Instance in the case of sewers, of the inefficiency of the action of the vestry, *ib.* 1805-1807——Obstacle to the enforcement of sanitary enactments in the parish, on account of the unwillingness of the vestry to incur expense, *ib.* 1831-1833——Very bad attendance of vestrymen, *ib.* 1856-1859——Very little interest taken in the election of vestrymen, *ib.* 1873-1876.

Small area and heavy rating of St. James's parish, as compared with St. George's, Hanover Square, *Beal* 1974-1981 —— Uncertain and inadequate attendance at the vestry further adverted to, *ib.* 2007-2013 —— Statement that for many years past political questions have had nothing to do with the vestry elections, *ib.* 2093-2098—— Re-arrangement desirable in regard to St. James's parish, and the boundaries of St. Margaret's and St. John's, *ib.* 2118.

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St. Pancras:

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2. *System of Assessment.*
3. *Sanitary Condition of the Parish.*
4. *Representation at the Metropolitan Board of Works.*
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1. *Present System: its Defects.*

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